

Utah Minerals  
DEED-Quit Claim

Ent 103468 Bk 231 Pg 877  
Date: 28-JUN-2006 12:29PM  
Fee: \$131.00 Check  
Filed By: BDN  
BRENDA NELSON, Recorder  
MORGAN COUNTY  
For: HODGE NATURAL GAS GATHERINGS

**This Indenture**, Made this 17 day of April, A.D., 2006, Between

Gary Melvin  
P. O. Box 830  
Bluff City, TN 37618

of Sullivan County, in the State of Tennessee of the first part (First Party), and

Undivided  $\frac{1}{2}$  Gary Manford  
P. O. Box 465  
Nageezi, NM 87037 and

Undivided  $\frac{1}{2}$  Stephen W. Hodgkins  
P. O. Box 1642  
Pharr, TX 78577, of the second part (Second Party),

WITNESSETH, That said party of the first part, for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does by these presents, remise, release and quit claim, unto said party of the second part, its heirs and assigns, all right, title, and interest in and to all oil, gas, coal, gravel and all other minerals on or under the real property conveyed by Diversified Mortgage Investors to Seven States Realty in that certain Special Warranty Deed recorded in the Summit County land records on August 18, 1976 as Entry No. 133056 in Book M83 at pages 65-71 and reserved by Seven States Realty in that certain Special Warranty Deed from Seven States Realty to Gerald H. Bagley d/b/a Bagley & Company, as recorded in the Summit County land records on September 21, 1977 as Entry No. 14055 in Book M100 at Pages 354-375 (the Bagley Deed), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, together with right of ingress and egress to prospect for, mine, drill and remove any and all such minerals as described in the Bagley Deed.

SEE EXHIBIT "A" and EXHIBIT "B"

Effective Date is April 1, 2006.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, forever.

IN WITNESS WHEREOF, the party of the first part (First Party) have hereunto set their hands the day and year first above written.

  
Gary Melvin

STATE OF Tennessee §  
COUNTY OF Sullivan §

ss. ACKNOWLEDGMENT FOR INDIVIDUAL

Before me, the undersigned, a Notary Public, within and for said County and State, on this 17 day of APRIL, 2006, personally appeared Gary Melvin, to me personally known to be the identical person who executed the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

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

My Commission Expires 1-6

  
Notary Public

**ENTRY NO. 00852795**

08/18/2008 03:33:06 PM B: 1945 P: 0621

Deed PAGE 1/24

ALAN SPRIGGS, SUMMIT COUNTY RECORDER  
FEE 115.00 BY STEPHEN W HODGKINS



The property is situate in Morgan and Summit Counties, State of Utah, and is described as follows:

BEGINNING at the East Quarter Corner of Section 14, Township 1 North, Range 3 East, Salt Lake Base and Meridian, and running thence West 240 rods; thence South 80 rods; thence West 80 rods; thence South 80 rods to the Southwest corner of said Section 14, thence West along the South boundary of Section 15, said Township and Range aforementioned 2355 feet, more or less, to the ridge separating the drainage between Dry Hollow and East Canyon Creek; thence North along said ridge 19° 50' West 2457 feet; thence along the ridge separating the drainage between Dry Hollow and Little Emigration Creek North 30° 52' West 1477 feet; thence along said latter ridge, North 32° 54' West 1798 feet; thence along said latter ridge South 76° 10' West 1778 feet; thence along said latter ridge South 62° 8' West 3839 feet; thence along said latter ridge, South 61° 32' West 3598 feet, more or less, to the intersection of said latter ridge with the West boundary of the Southeast Quarter of Section 17, Township and Range aforesaid; thence South 6434 feet, more or less, to the South Quarter Corner of Section 20, said Township and Range aforesaid; thence West 160 rods; thence South 7900 feet, more or less to the intersection with the Summit and Salt Lake County line; thence following the said Salt Lake and Summit County Line to a point of intersection with the South line of Section 4 which is approximately the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 4, Township 1 South, Range 3 East, Salt Lake Base and Meridian, thence East 3197.16 feet; thence South 45° West 1902.77 feet; thence Southeasterly to a point of 3395.70 foot radius curve to the right 698.35 feet along the arc of said curve; thence South 53° 22' East 146.8 feet; thence North 36° 38' East 45 feet; thence South 53° 22' East 130.6 feet; thence Southeasterly along a curve to the left, the radius which bears North 15° 29' 46" East 3664.80 feet, 1352 feet; thence North 2435.69 feet to the Northeast corner of Section 9, Township 1 South, Range 3 East, Salt Lake Base and Meridian, thence East 160 rods; thence South 1738.88 feet, more or less, to the North line of Highway 40, thence Northeasterly along said Highway, more or less, to the East line of the Southwest Quarter of the Northeast Quarter of Section 10, Township 1 South, Range 3 East, Salt Lake Base and Meridian, thence North 1404.54 feet, more or less, to the North line of said Section 10; thence East to the Northeast corner of said Section 10, thence South to U.S. Highway 40; thence Easterly along said Highway 40 to a point on the South line of the North half of the North half of Section 11, Township 1 South, Range 3 East, Salt Lake Base and Meridian; thence East 5500 feet, more or less, to the East line of Section 12, Township 1 South, Range 3 East, Salt Lake Base and Meridian; thence South 240 rods, more or less, to the Southeast corner of said Section 12; thence East 5280 feet, more or less, to the Southeast corner of Section 7, Township 1 South, Range 4 East, Salt Lake Base and Meridian; thence North 10560 feet to the Northeast corner of Section 6, Township 1 South, Range 4 East, Salt Lake Base and Meridian, thence West along the North line of Section 6, 6000 feet, more or less, to the Southeast corner of Section 36, Township 1 North, Range 3 East, Salt Lake Base and Meridian, thence North along the East lines of Section 25 and 36, Township 1 North, Range 3 East, Salt Lake Base and Meridian to the Southeast corner of Section 24, Township 1 North, Range 4 East, Salt Lake Base and Meridian; thence West 160 rods; thence North 160 rods; thence West 160 rods;

thence North 320 rods; more or less, to the East quarter corner of Section 14, Township 1 North, Range 3 East, Salt Lake Base and Meridian, and the point of beginning. EXCEPTING THEREFROM Lots 9, 10, 13, 14, 18, 19, 20, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 61, 64, 71, 76, 77, 86, 90, 98, 99, 100, 101, 102, 103, 104, 105, 106 & 107, HIDDEN COVE NO. 1, REVISED, according to the official plat thereof, as recorded in the office of the County Recorder of said County.

INCLUDING:

Lots 1 to 8, inclusive, 11, 12, 15, 16, 17, 21, 22, 29, 30, 31, 36, 49, to 60 inclusive, 62, 63, 65 to 70 inclusive, 72 to 75, inclusive, 78 to 85, inclusive, 87, 88, 89, 91 to 97, inclusive, HIDDEN COVE SUBDIVISION NO. 1.

EXCEPTING THEREFROM, a parcel of land described as follows:  
Beginning at a point which is 528.81 feet North and 1127.92 feet East of the Southwest corner of Section 4, Township 1 South, Range 3 East, Salt Lake Meridian, and running thence North 200 feet; thence East 200 feet; thence South 200 feet; thence West 200 feet to the point of beginning.

EXCEPTING THEREFROM, a parcel of land described as follows:  
Together with a right-of-way for ingress and egress 40 feet in width, 20 feet on each side of the following described centerline: Beginning at a point which is 626.14 feet North and 1127.92 feet East from the Southwest corner of Section 4, Township 1 South, Range 3 East, Salt Lake Base and Meridian, and running thence North 69° 26' 30" West 357.07 feet; thence South 51° 22' 30" East 300.0 feet; thence South 20° 46' 30" East 200.0 feet; thence South 53° 45' 30" East 100.0 feet; thence South 56° 47' 30" East 138.04 feet; thence South 78° 03' 50" West 154.45 feet; thence South 84° 21' 45" West 283.41 feet; thence North 72° 36' 30" East 35.97 feet; thence North 62° 36' 30" West 100.00 feet; thence North 46° 37' 30" West 100.00 feet; thence South 28° 37' 30" East 200.0 feet; thence South 50° 37' 30" East 100.0 feet; thence South 45° 07' 30" East 200.0 feet; thence South 43° 38' 30" East 226.47 feet to the center line of an existing dirt roadway; thence along the center line of said roadway along courses and distances as follows: South 48° 16' 00" West 280.87 feet; thence South 72° 41' 00" West 205.65 feet; South 12° 58' 00" West 64.28 feet; South 15° 33' 45" West 115.71 feet; South 73° 48' 15" West 130.80 feet; South 65° 37' 15" West 507.73 feet; South 55° 53' 45" West 161.82 feet; South 25° 25' 25" West 90.46 feet; South 12° 31' 35" East 55.57 feet; South 80° 39' 55" East 131.20 feet; thence North 65° 53' 05" East 96.47 feet; North 89° 32' 35" East 424.37 feet; South 78° 56' 25" East 257.02 feet; South 61° 48' 25" East 129.29 feet; North 71° 33' 35" East 330.64 feet; thence North 80° 29' 05" East 298.71 feet; thence North 85° 43' 05" East 250.13 feet; thence South 51° 37' 25" West 120.0 feet, more or less, to the North line of U.S. Highway 40.

EXCEPTING THEREFROM, a parcel of land described as follows:  
Also together with a right of way for ingress and egress 40 feet in width, 20 feet on either side of the centerline of an existing dirt roadway which roadway joins the real property hereinabove described on the East and runs Easterly along the ridge of the mountain and thence Southwesterly down the side of the Mountain joining the right-of-way described in the next preceding paragraph and thence Southerly to the East line of U.S. Highway 40 and being the same roadway which constitutes a part of the said right of way hereinabove described.

EXCEPTING THEREFROM a parcel of land described as follows:

From a point 933 feet North and 1390 feet West from the East quarter corner of Section 9, Township 1 South, Range 3 East, Salt Lake Base and Meridian, thence North 53° 22' West 146.8 feet to a point of tangency with a 3395.7 foot radius curve to the left; thence Northwesterly 1027.4 feet along the arc of said curve to a point of intersection with the Southwesterly boundary line of the existing stock trail; thence Southeasterly 1252 feet, more or less, along said Southwesterly boundary line of stock trail to the point of beginning.

EXCEPTING THEREFROM, a parcel of land described as follows:

The Southeast Quarter of the Northeast Quarter of Section 20, Township 1 North Range 3 East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM, a Parcel of land described as follows:

Excluding a strip of land one rod wide on each side of center line of existing irrigation ditches lying to the North and East of U.S. Highway 40 in the Northeast Quarter of the Northeast Quarter of Section 11, Township 1 South, Range 3, East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM, a parcel of land described as follows:

South Half of Section 23, and the North half of the North half of Section 26, Township 1 North, Range 3 East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM, a parcel of land described as follows:

Those portions of Section 29 and 32, Township 1 North, Range 3 East, Salt Lake Base and Meridian lying in Salt Lake County, State of Utah.

EXCEPTING THEREFROM, a parcel of land described as follows:

The following described portion of Lots 6 and 7, containing approximately 20 acres: The Southwest Quarter of the Northeast Quarter of the Southeast Quarter; the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of said Section 3, Township 1 South, Range 3 East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM, that portion of Lot 62, HIDDEN COVE SUBDIVISION NO. 1, described as follows:

Beginning at the Southwest corner of Lot 62, HIDDEN COVE SUBDIVISION NO. 1. thence North 61° 48' 40" East 4 feet; thence North 28° 11' 20" West 190 feet; thence South 61° 48' 40" West 4 feet; thence South 28° 11' 20" East 190 feet to the point of beginning.

EXCEPTING THEREFROM, a parcel of land described as follows:

Beginning at a point North 89° 59' 18" West 2501.41 feet and South 870.95 feet from the Northeast corner of Section 10, Township 1 South, Range 3 East, Salt Lake Base and Meridian, and running thence North 88° 35' 20" West 301.42 feet; thence South 0° 08' 40" West 150.96 feet along a fence; thence North 35° 35' 51" East 248.09 feet; thence North 23° 35' 04" East 135.84 feet to the point of beginning. TOGETHER WITH a 20 foot right of way, the center line of which begins North 88° 35' 20" West 10 feet from the Northeast corner of the above described property and runs thence South 88° 35' 20" East 210.78 feet; thence South 76° 48' 20" East 200.00 feet; thence North 70° 41' 40" East 300.00 feet; thence North 64° 45' 40" East 300.00 feet; thence

North 38° 28' 40" East 46.86 feet to a point 10 feet West of Sunrise Hills Subdivision; thence North 0° 04' 05" West 74.45 feet; thence North 25° 54' 40" East 94.59 feet; thence North 15° 11' 20" East 93.01 feet; thence North 9° 55' East 48.49 feet; thence North 2° 03' 50" West 92.61 feet; thence North 27° 32' 30" West 64.65 feet; thence North 44° 42' 40" West 58.20 feet; thence North 0° 04' 05" West 50.25 feet to a point 10 feet West of the West end of the North line of Hilltop Drive.

EXCEPTING THEREFROM, a parcel of land described as follows:

Portions of Lots 6 and 7, contained approximately 20 acres, and described as the Southwest quarter of the Northeast quarter of the Southeast quarter; the Northeast quarter of the Southeast quarter of the Southeast quarter excepting therefrom, however, that portion of Lot 64, Hidden Cove No. 1, a subdivision according to the official plat thereof, recorded in the office of the Summit County Recorder, Summit County, State of Utah, to the extent said Lot 64, encroaches upon the above described land. (Section 33, Township 1 South, Range 3 East, Salt Lake Base and Meridian)

EXCEPTING THEREFROM, a parcel of land described as follows:

Beginning at an angle point on the existing northerly frontage road right of way line of said project, which point is 55.0 feet perpendicularly distant northerly from the "U" line of said frontage road at Engineer Station PC 56+75, said point is 72 feet southerly along the east line of said Southwest quarter of the Southeast quarter to said northerly right of way line and approximately 923 feet North 79° 45' West along said northerly right of way line from the Southeast corner of said Southwest quarter of the Southeast quarter; thence Northwesterly 42.43 feet along a straight line to a point 85.0 feet perpendicularly distant northerly from said "U" line at Engineer Station 56+45 thence South 81° 15' 57" East 20.68 feet; thence South 34° 45' East 43.2 feet; thence North 79° 45' West 21.21 feet to the point of beginning.

EXCEPTING THEREFROM those parcels of land described in various Final Orders under Condemnation Proceedings by the State Road Commission of Utah. Said parcels are along the Southern extremities of said property only, abutting on the present Highway 40.

EXCEPTING THEREFROM the parcel of land described as follows:

COMMENCING at a point which is North 89° 23' East 58.9 feet and South 0° 23' East 414 feet from a permanent concrete marker numbered CV-17 which is situated on the North boundary line of Section 22, Township 1 North, Range 3 East, Salt Lake Base and Meridian, which point of beginning is also established by the intersection of the West boundary of the East Canyon Road right of way and a line which is 414 feet South of and which runs parallel to the North boundary line of said Section 22, and running thence South 89° 23' West 473.5 feet; thence South 30 feet, more or less, to the center of the East Canyon Creek; thence in a Southwesterly direction along the center line of the East Canyon Creek to a point which is North 89° 23' East 212 feet, more or less, from a point which is South 13° 8' West 370.2 feet from a point which is South 89° 23' West 918.2 feet from the point of beginning; thence South 89° 23' West 212 feet, more or less, to a point which is South 13° 8' West 370.2 feet from a point which is South 89° 23' West 918.2 feet from the point of beginning; thence South 13° 8' West 248.6 feet; thence East 317.5 feet, more or less, to the West boundary of the East Canyon Road right of way; thence along the West boundary of the East Canyon Road right of way in a Northeasterly direction to the point of beginning, containing 5 acres more or less.

SUBJECT TO an easement for ingress and egress in favor of Richard D. Madsen and Nancy A. Madsen, his wife, running from a point on the West boundary of the East Canyon Road right of way, which point is approximately 370 feet South of the North boundary line of the tract hereinabove described, in a Northwesterly direction along an existing jeep trail to the East boundary of a tract conveyed to said Richard D. Madsen and Nancy A. Madsen of even date there herewith.

EXCEPTING THEREFROM the parcel of land described as follows:

COMMENCING at a point which is North 89° 23' East 58.9 feet, South 0° 23' East 414 feet and South 89° 23' West 913.2 feet from a permanent concrete marker numbered CV-17 which is situated on the North boundary line of Section 22, Township 1 North, Range 3 East, Salt Lake Base and Meridian, which point of beginning is also described as being South 89° 23' West 918.2 feet from a point established by the intersection of the West boundary of the East Canyon Road right of way and a line which is 414 feet South of and which runs parallel to the North boundary line of said Section 22, and running thence South 13° 8' West 370.2 feet; thence North 89° 23' East 212 feet, more or less to the center of the East Canyon Creek; thence in a Northeasterly direction along the center line of the East Canyon Creek to a point which is North 89° 23' East 444.7 feet and South 30 feet, more or less, from the point of beginning; thence North 30 feet, more or less, to a point which is North 89° 23' East 444.7 feet from the point of beginning; thence South 89° 23' West 444.7 feet to the point of beginning, containing 2.5 acres, more or less.

TOGETHER WITH an easement for ingress and egress running from a point on the West boundary of the East Canyon Road right of way, which point is approximately 370 feet South of the North boundary line of the tract hereinabove described, in a Northwesterly direction along an existing jeep trail across a tract conveyed to J. Kent Buehler and Cleo S. Buehler, his wife, of even date herewith, to the East boundary of the tract hereinabove described.

EXCEPTING HEREFROM the following:

A 145.0 foot wide strip of property over Sections 22 and 23 of Township 1 North, Range 3 East, Salt Lake Base and Meridian, the boundary of which is described as follows:

BEGINNING at a point on the North line of said Section 22, at a point South 89° 23' 00" West 781.67 feet from the Northeast corner of said Section 22 and running thence South 89° 23' 00" West 161.40 feet along said North line of Section 22, thence South 26° 40' 00" East 129.33 feet; thence South 29° 30' 00" East 543.81 feet; thence South 31° 35' 00" East 229.57 feet; thence South 45° 20' 00" East 172.45 feet; thence South 38° 00' 00" East 84.94 feet; thence South 31° 45' 00" East 278.16 feet; thence South 41° 40' 00" East 301.60 feet; thence South 30° 00' 00" East 275.74 feet; thence South 25° 00' 00" East 477.64 feet; thence South 17° 00' 00" East 318.71 feet; thence South 27° 00' 00" East 174.26 feet; thence South 21° 00' 00" East 71.62 feet to the East-West centerline of said Section 23, Thence South 89° 40' 30" East 152.29 feet; thence North 21° 00' 00" West 133.60 feet; thence North 27° 00' 00" West 168.83 feet; thence North 17° 00' 00" West 319.73 feet; thence North 25° 00' 00" West 496.19 feet; thence North 30° 00' 00" West 293.41 feet; thence North 41° 40' 00" West 326.47 feet; thence North 31° 45' 00" West 267.93 feet; thence North 38° 00' 00" West 31.61 feet; thence North 45° 20' 00" West 171.11 feet; thence North 31° 35' 00" West 256.33 feet; thence North 29° 30' 00" West 536.09 feet; thence North 26° 40' 00" West 54.92 feet to the point of beginning.

EXCEPTING AND RESERVING unto Diversified Mortgage Investors of Massachusetts Business Trust, its successors and assigns, a perpetual non-exclusive right-of-way over and across the above described property for vehicular and non-vehicular ingress and egress.

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together with all water rights appurtenant to the above-described real property.

EXHIBIT B

The property is subject to the following exceptions:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

2. A Right of way granted by Parley's Park Corporation to Mountain Fuel Supply Company, recorded in Book M-4 at page 400, grants an Easement 60 feet wide for gas transmission and distribution across the South half of Section 3, Township 1 South, Range 3 East, Salt Lake Meridian.

3. Rights of way for roads, ditches, canals, pole lines, or transmission lines now existing over, under, or across said property.

4. Subject to any easement or right of way of the public to use all such highways as may have been established according to law over the same or any part thereof, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that may have been constructed by authority of the United States of America, as recited in the Patents from the State of Utah conveying said property.

5. (Affects the South half of the Southeast quarter of said Section 4) Reserving to the State of Utah all coal and other minerals in the above lands and to it or persons authorized by it, the right to prospect for, mine and remove coal and other minerals from the same upon compliance with the conditions and subject to the limitations of Title 86, Chapter 1, Revised Statutes of Utah, 1933, and amendments thereto, also reserving canal and ditch right of way to the United States of America as recited in the Patent from the State of Utah to Ethan J. Jeremy dated May 10, 1944, and recorded November 30, 1954 in Book "U" of Warranty Deeds, page 518.

6. (Affects the South half of the Northwest quarter & Lots 1 to 8 inclusive Section 26, Township 1 North Range 3 East, Salt Lake Meridian and Sections 15 and 17, Township 1 North, Range 3 East, Salt Lake Meridian (Section 9, All of Section 11 North of U. S. Highway 40 except that portion in the

East half of the Northwest quarter). EXCEPTING and RESERVING to the Union Pacific Railroad Company, its successors and assigns:

1. All coal and other minerals within or underlying said land.
2. The exclusive right to prospect in and upon the land for coal and other minerals therein, or which may be supposed to be therein, and to mine for and remove from said land all coal and other minerals which may be found thereon.
3. The right of ingress, egress, and regress, upon said land to prospect for, mine, and remove any and all such coal or other minerals and the right to use so much of said land as may be convenient or necessary for the right of way to and from such prospect places or mines and for the convenient and proper operation of such prospect places, mines, and for roads and approaches thereto or for removal therefrom of coal, minerals, machinery or other materials.



4. The right to said Union Pacific Railroad Company to maintain and operate its railroad in its present form of construction or method of operation of said railroad, as recited in the Warranty Deed from the Union Pacific Railroad Company conveying said property.
7. A Right of Way for an electrical transmission line known as the Mill-Creek Oakley-Murdock Transmission Line over and across said Section 9, and other property as granted by Utah Power Company, a corporation, by Warranty Deed recorded February 7, 1913, in Book "K", page 140, Miscellaneous Records, to Utah Power and Light Company, a corporation, dated February 7, 1913.
8. A Right of Way from E. J. Jeremy to the Mountain States Telephone and Telegraph Company dated January 25, 1929, recorded January 26, 1929, in Book "S" of Miscellaneous page 133, granting the right, privilege, and authority to construct, operate, and maintain its lines of telephone and telegraph including the necessary wires, poles, and cables, wires and fixtures upon, over and across the North half of said Section 11 and upon and along the roads and highways adjoining said property and the right to trim trees along said lines so as to keep the wires cleared to at least 48 inches. Reference is made to said Right of Way for the particulars thereof.
9. A Right of Way to lay, maintain, operate, repair or remove a pipe line and erect, maintain, repair, operate, or remove a telephone line, if the same shall be found necessary over, through, across and upon the Northeast quarter of the Northwest quarter of Section 9, as granted to Uinta Pipe Line Company by Right of Way Grant dated January 7, 1929, executed by Ethan J. Jeremy, and recorded September 16, 1929, in Book S, page 458 of Miscellaneous Records. Reference is hereby made to said Right of Way Grant and the record thereof for further particulars. This also affects Section 11, Township 1 South, Range 3 East, Salt Lake Meridian.
10. The right, privilege and authority to construct, operate and maintain its lines of telephone and telegraph including the necessary poles, cables, wires, and fixtures upon, over and across said Section 12 and other lands and upon and along the roads, streets or highways adjoining the said property, the right to permit other companies to attach their wires and the right to remove any trees along said lines so as to keep wires cleared at least 15 feet, to erect and set the necessary anchors and to attach thereto the necessary guy wires, as granted to the Mountain States Telephone and Telegraph Company from E. J. Jeremy by Right of Way dated November 10, 1932, recorded December 15, 1932, in Book U of Miscellaneous, page 8. Reference is hereby made to said Right of Way for the particulars thereof.

11. (Affects Section 9 and that portion of Section 11 lying North and West of U.S. Highway 40)  
A perpetual right of way and easement to construct, reconstruct, operate and maintain lines of telephone and telegraph upon, over and across the said Section 11 and other lands, and also being and/or under the roads adjoining said land with the right to trim trees, etc. to keep cables cleared at least 36 inches and remove all underbrush, etc. within 50 feet and the right to permit the attachment of cables of other companies as granted to the American Telephone and Telegraph Company from the E. J. Jeremy Trust by Right of Way dated November 27, 1940, recorded in Book W of Miscellaneous, page 455, the exact location of said Easement is not disclosed. Reference is hereby made to said Right of Way for the particulars thereof.
12. (Affects that portion of the Northwest quarter of the Northeast quarter, the East half of the Northeast quarter and the North half of the Northwest Quarter of said Section 11 lying North and East of U. S. Highway 40)  
A perpetual easement and right of way for the erection and continued maintenance, repair, alteration and replacement of the electrical transmission, distribution and telephone circuits of grantee (2 guy anchors and 21 poles) together with all rights of ingress and egress and all rights and privileges incident thereto including the right to cut and remove timber, trees, brush and overhanging branches and other obstructions which may injure or interfere with the Grantees use, occupation or enjoyment of this easement, as granted to Utah Power & Light Company from E. J. Jeremy Trust by Pole Line Easement dated May 7, 1941, recorded June 16, 1941 in Book W of Miscellaneous at page 468. The exact location of said pole line is described in said Easement and reference is hereby made thereto for the particulars thereof.
13. A Right of Way and Easement to construct and operate, maintain, replace and remove such communication systems as the Grantee may from time to time require, consisting of underground cables, etc. upon, over and under a strip of land one rod wide across said property and other lands, together with the right to clear said strip of trees and brush, as granted to the American Telephone and Telegraph Company of Wyoming from Ethan J. Jeremy et al by Easement dated March 4, 1942, recorded August 25, 1942, in Book X of Miscellaneous at page 58. Reference is hereby made to said Easement for the particulars thereof.
14. A Right of Way from the Board of County Commissioners of Summit County conveying to the American Telephone and Telegraph Company of Wyoming the same right of way, easement and privileges as mentioned in Exception No. 17 below, over, and across and under a one rod strip of land in said property and other lands in which the Grantor has or may have an interest, together with the right of ingress and egress, as granted by Right of Way dated October 8, 1942, recorded November 30, 1942, in Book X of Miscellaneous, page 142. Reference is hereby made to said Right of Way for the particulars thereof.

15. (Affects part of the Northwest quarter of Said Section 12)  
A Right of Way to lay, maintain, operate, remove and replace a copper cable or other electrical conductor to consist of an electric wire pole line and or ground bed consisting of steel rail, through and across, over and under said property and other lands with the right of ingress and egress to and from the same as granted by Thomas E. Jeremy, Trustee, to The Mountain Fuel Supply Company, by Right of Way Grant dated September 18, 1946, recorded November 12, 1946, in Book Y of Miscellaneous, page 217. Reference is made to said Grant for the particulars thereof.
16. (Affects that portion of East half of Northeast quarter, Section 11, Township 1 South, Range 3 East, Salt Lake Meridian lying North and West of U. S. Highway 40)  
(Affects the North half of the Northwest quarter of said Section 12)  
A perpetual easement and right of way for the electric transmission, distribution and telephone circuits to be erected and maintained over and across said property and other lands together with all rights of ingress and egress necessary, as granted to The Utah Power and Light Company from the E. J. Jeremy Trust by Pole Line Easement dated February 21, 1947, recorded May 19, 1947, in Book Y of Miscellaneous, page 322. Reference is hereby made to said Easement for the particulars thereof.
17. A Right of Way and Easement to construct, operate, maintain, replace and remove such communication systems as the Grantees may from time to time require, consisting of underground cables, wires, manholes, conduits, drains, and splicing boxes and surface testing terminals, repeaters and markers, and other appurtenances under, over and upon a strip of land one rod wide across said section 9 and other property as granted and conveyed to American Telephone and Telegraph Company of Wyoming by Easement dated October 8, 1942, executed by The Board of County Commissioners of the County of Summit, State of Utah, and recorded November 30, 1942 in Book X, page 142 of Miscellaneous Records.
18. A Right of Way to erect, maintain, operate, repair, renew, add to and remove telephone and telegraph lines and appurtenances thereof, with the right of ingress and egress to and from the same, over and through, under or along, that certain parcel of land described as follows:  
Beginning at a point on the East line of said Section 9, said point being 264.0 feet Northerly from the East quarter corner of said Section 9, and running thence North 77° 32' West 216.7 feet; thence North 64° 29' West 622.4 feet; thence North 61° 19' West 671.5 feet; thence approximately North 34° 33' West 1248 feet, more or less, to the Pole 409 of the existing Mountain Fuel Supply Company's Telephone and Telegraph pole lines, as Granted to Salt Lake Pipe Line Company, a corporation, by Easement dated April 5, 1949, executed by Thomas E. Jeremy, Trustee of Thomas E. Jeremy, Trustee of E. J. Jeremy Trust, recorded April 13, 1949, in Book Z, page 444 of Miscellaneous Records. Reference is hereby made to said Easement and the record thereof for further particulars.
19. Reserving to the American Telephone and Telegraph Company of Wyoming a right of Way and Easement to construct, operate, maintain, replace and remove communication systems consisting of underground cables, surface test terminals, markers and other appurtenances upon, over and under a strip of land one rod wide within the Northeast quarter of the Northeast quarter of said Section

in accordance with a certain written agreement between The Denver and Rio Grande Western Railroad Company and The American Telephone and Telegraph Company, dated July 28, 1942, as recited and reserved in the Quit Claim Deed from the Denver and Rio Grande Western Railroad Company to Thomas E. Jeremy, Trustee, for the E. J. Jeremy Trust dated February 17, 1948, recorded February 14, 1950 in Book H of Quit Claim Deeds, page 390. Reference is hereby made to said Quit Claim Deed for the particulars thereof.

20. A Right of Way and easement to construct, operate, maintain, replace and remove such communication systems as the grantee may from time to time require consisting of underground cables, wires, conduits, manholes, drains, splicing boxes, surface terminals and other appurtenances, upon, over and under a strip of land one rod wide across the Northwest quarter of said Section 11, together with the right of ingress and egress and the right to clear and keep cleared all trees and other obstructions as granted to the American Telephone and Telegraph Company from Thomas E. Jeremy Trustee for E. J. Jeremy Trust by Right of Way dated July 12, 1948, recorded August 12, 1948 in Book Z of Miscellaneous, page 278, said instrument also recited that the grantor for himself, his heirs, executors, administrators, successors, and assigns that no structures shall be permitted or erected on said one rod strip. Reference is hereby made to said Right of way for the particulars thereof. (Also affects Northeast Quarter of Section 11, Township 1 South, Range 3 East, Salt Lake Meridian.)
21. (Affects the Southwest quarter of said Section 4)  
A Right of Way for radio and communication installation and telegraph or telephone lines and appurtenances with right of ingress and egress for the same over, through, under or along said property (descriptions contained in right of way), as granted to Salt Lake Pipe Line Company, a Nevada corporation, from Thomas E. Jeremy, Trustee, by Right of Way dated April 5, 1943 recorded April 15, 1949 in Book Z of Miscellaneous, page 445, Reference is hereby made to said Right of Way for the particulars thereof.
22. A right of way for the erection and continued maintenance, repair, alteration and replacement of the electric transmission, distribution and telephone circuits of the Grantee, and one guy anchor and no towers or poles, with the necessary guys, stubs, cross arms and other attachments thereof or affixed thereto for the support of said circuits, to be erected and maintained, upon and across the premises of the Grantor along a line described as follows: Beginning at existing pole in present power line on Grantor's land at a point 1180 feet South and 1575 feet East, more or less, from the Northwest corner of said Section 9, and running thence North 18° West 800 feet, more or less, to West boundary line of said land and being in the Northeast quarter of the Northwest quarter of said Section 9, as granted to Utah Power and Light Company, a corporation by Pole Line Easement dated April 5, 1960, in Book 2, page 535 of Miscellaneous, executed by Thomas E. Jeremy, Trustee of the E. J. Jeremy Trust, recorded October 5, 1949.
23. A Right of Way Grant from Thomas E. Jeremy, Trustee, of the E. J. Jeremy Trust, to Mountain Fuel Supply Company dated May 28, 1949, recorded October 25, 1949, in Book X of Miscellaneous, page 569, conveying a right of way to lay, maintain, operate inspect, repair and remove pipe lines and to erect, maintain, operate, inspect, repair, and remove telephone and telegraph lines together with such stations, meter houses and other facilities

and structures as may be necessary or convenient over and through said property and other lands. (The center line is described in said instrument and covers a strip of land 33 feet in width.) Reference is hereby made to said Grant for the particulars thereof.

24. A right of way for a stock trail along the North side of U.S. Highway 40 across Sections 9, 10 and 11, as disclosed by the Summit County Ownership Plats and mesne deeds of record.
25. (Also affects the South East quarter of the Southwest quarter of Section 2, Township 1 South, Range 3 East, Salt Lake Meridian & North half of Section 11).  
A Right of Way to lay, maintain, operate, inspect, repair, and remove pipe line and to erect, maintain, operate, inspect, repair, and remove telegraph and telephone lines, together with such stations, meter houses and other facilities and structures as may be necessary or convenient for the operation, maintenance, inspection, protection and repair of said lines over and through a portion of the North half of said Section 9, including the waiver and release of the right of, with the right of ingress and egress to and from the following described Right of Way:  
A strip of land 33 feet in width extending 10 feet on the southerly side and 23 feet on the northerly side of a survey line described as follows, to-wit:  
Beginning at a point where the present pipe line enters the Grantor's land which point is located South 1539 feet, thence North 72° 35' East 1295.8 feet thence North 77° 58' East 33.8 feet; thence North 81° 40' East 767.4 feet from the Northwest corner of said Section 9, and running thence North 81° 40' East 147.9 feet; thence North 82° 16' East 1237.5 feet; thence North 82° 22' East 913.5 feet; thence North 83° 43' East 1145.1 feet to a point on the East line of Section 9 where the present pipe line leaves the Grantor's property, as granted by Right of Way Grant dated May 28, 1949, executed by Thomas E. Jeremy, Trustee, to Mountain Fuel Supply Company, a corporation, recorded October 25, 1949, in Book Z, page 569 of Miscellaneous Records. Reference is hereby made to said Right of Way Grant and the record thereof for further particulars.
26. A perpetual easement and right of way for the erection and continued maintenance, repair, alteration, and replacement of the electric transmission, distribution and telephone circuits of the Grantee, and one guy anchor and no poles, with the necessary guys, stubs, cross-arms and other attachments thereon or affixed thereto, for the support of said circuits, to be erected and maintained upon and across said premises along a line described as follows: Beginning at an existing pole on the Grantor's land at a point 1200 feet South and 1765 feet West, more or less, from the Northeast corner of said Section 9, thence South 6° 21' West 105 feet, more or less, to the South boundary line of said land, being in the Northwest quarter of the Northeast quarter of said Section 9, provided, however, that the improvements of the premises of the Grantor, the Grantee will at its own expense, relocate said facilities to a place or places on the premises satisfactory to the Grantor. Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation and enjoyment of the easement hereby granted and all rights and privileges incident thereto, including the right to cut and remove timber, trees, brush, overhanging branches and other obstructions, which may interfere with the Grantee's use, occupation or enjoyment.

ment of this easement, as granted to Utah Power & Light Company, by Pole Line Easement dated December 12, 1958, recorded in Book 3-A, page 346 of Miscellaneous Records.

27. A right of way and easement 20 feet in width to lay, maintain, operate, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas distribution facilities through and across the land of the Grantor located in the Northeast quarter of the Northwest quarter of said Section 9; the center line of said right of way and easement shall extend through and across the above described land and premises as follows: Beginning at a point 1624.34 feet North and 3938.7 feet West from the East quarter corner of said Section 9, said point also being located on the North right of way line of U.S. Highway No. 40, thence North 8° 21' West 188.53 feet, more or less, to present Mountain Fuel Supply Company transmission line.  
Together with the right of ingress and egress to and from said right of way to maintain, operate, repair, inspect, protect, remove and replace the same.  
Grantor shall not build or construct nor permit to be built or constructed any building or other improvement over or across said right of way; as granted to Mountain Fuel Supply Company by Right of Way Grant dated October 14, 1959, recorded in Book 3-A, page 528 of Miscellaneous Records.
28. (Affects all of Section 14 except the North half of the Northeast quarter thereof)  
Excepting and reserving to the United States all coal and other minerals thereon, together with the right to prospect for, mine and remove the same thereon, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916, (39 Statutes 862) also reserving a right of way for ditches or canals constructed by authority of the United States, as recited in the Patents from the United States of America conveying said property.
29. (Affects the West half of the Southeast quarter of Section 14)  
A Right of Way 4 rods wide across said land on the old road now in use which is to be used for the purpose of driving sheep, cattle, etc. across, as reserved in the Warranty Deed from William W. Butler and wife to Asa L. Maxfield, dated March 7, 1922, recorded July 14, 1923, in Book K of Deeds, at page 432 and subsequent deeds of record.
30. This property is located within the limits of the Weber Basin Water Conservancy District
31. (Affects that portion of said property located in Section 16)  
Subject to any easement or right of way of the public to use all such highways as may have been established according to law over the same or any part thereof and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that may have been constructed by authority of the United States as recited in the Patent from the State of Utah to Ethan J. Jeremy dated June 28, 1915, recorded August 18, 1915, in Book J of Deeds, page 238.
32. (Affects the Southeast quarter of the Southeast quarter of Section 20)  
Rights of way for ditches or canals constructed by authority of the United States as reserved in the Patent from the United States of America to Ethan

J. Jeremy dated February 4, 1926, recorded December 20, 1941 in Book O of Deeds, page 157, Morgan County Records, and recorded January 19, 1959 in Book V of Warranty Deeds, page 467, records of Summit County, Utah.

33. (Affects the West half of the East half, the Northeast quarter of the Southeast quarter and the Northwest quarter of the Northeast quarter of Section 20)  
Reserving to the State of Utah all coal and other minerals, and to it, or persons authorized by it, the right to prospect for, mine and remove coal and other minerals from the same upon compliance with the conditions and subject to the limitations of Title 86, Chapter, Revised Statutes of Utah 1933 and amendments thereto. Subject to canal and ditch right of way of the public to all such highways as may have been established according to law over the same or any part thereof and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that may have been constructed by authority of the United States, as recited in the Patent from the State of Utah to Ethan J. Jeremy, dated May 10, 1944, recorded November 30, 1954 in Book Q of Deeds, page 342, Morgan County Records, and recorded January 19, 1955 in Book V, page 468 of Warranty Deed Records, Summit County, Utah.
34. (Affects all of Sections 21, 25, 27, and 29)  
Excluding and excepting all minerals lands, but this exclusion and exception according to the terms of the Statute shall not be construed to include coal and iron lands, as recited in the Patents from the United States of America to the Union Pacific Railroad Company conveying said property.
35. (Affects all of Section 23, Township 1 North, Range 3 East, Salt Lake Meridian)  
Excluding and excepting "All mineral land" but this exclusion and exception according to the terms of the Statute shall not be construed to include coal and iron lands, as recited in the Patent from the United States of America to the Union Pacific Railroad Company dated November 23, 1902, recorded March 5, 1925, in Book L of Deeds, pages 7-13, Morgan County.
36. (Affects the Southeast quarter of the Southwest quarter and the West half of the Southwest quarter of Section 24, Township 1 North, Range 3 East, Salt Lake Meridian)  
Reserving to the State of Utah all coal and other minerals and to it or other persons authorized by it, the right to prospect for, mine and remove coal and other minerals from the same, upon compliance with the conditions and subject to the limitations thereto; also reserving canal and ditch rights of way to the United States as recited in the Patents from the State of Utah to Ethan J. Jeremy, dated May 10, 1944, recorded November 30, 1954, in Book Q of Deeds, page 343 and 34405, Morgan County Records.
37. (Affects Section 26, Township 1 North, Range 3 East, Salt Lake Meridian.)  
A perpetual right of way and easement to construct, reconstruct, operate, and maintain lines of telephone and telegraph consisting of such poles, wires, cables, conduits and other fixtures and appurtenances as the Grantee may from time to time require upon, across, over and/or under said property and other lands, and upon, along and/or under the adjoining roads, the right to trim trees to keep the wire cleared at least 36 inches, the right to cut trees, underbrush, etc., within 50 feet of said line, and the right to permit other companies to attach wires and cables, as granted to the American

Telephone and Telegraph Company by Right of way dated August 14, 1930, recorded September 25, 1930, in Morgan County Records, in Book I of Miscellaneous, page 464, in Summit County Records. Said right of way also recites that the grantor for himself, his heirs, executors, administrators, successors and assigns, covenants that no inflammable structure shall be erected or permitted on said property within 50 feet of said lines.

38. (Affects the South half of the Southeast quarter of Section 28, Township 1 North, Range 3 East, Salt Lake Meridian and Lot 11 and South half of the Southwest quarter of Section 34, Township 1 North, Range 3 East, Salt Lake Meridian)  
Reserving to the State of Utah all coal and other minerals in the above described land, and to it, or persons authorized by it, the right to prospect for, mine and remove coal and other minerals from the same upon compliance with the conditions and subject to the limitations of Title 86 Chapter 1, Revised Statutes of Utah, 133 and amendments thereto. Also reserving canal and ditch right of way to the United States (August 30, 1890, 26 Statutes 891). Also subject to any easement or right of way of the public to use all such highways as may have been established according to law, over the same or any part thereof, and subject to all rights of way for ditches, tunnels, and telephone and transmission lines that may have been constructed by authority of the United States, as recited in the Patent from the State of Utah, to E. J. Jeremy, dated May 10, 1944, recorded December 9, 1954, in Book U of Warranty Deeds, page 523, Summit County Records.
39. (Affects Section 31, Township 1 North, Range 3 East, Salt Lake Meridian)  
Excepting and excluding by these presents all minerals should any such be found to exist, but this exclusion and exception shall not be construed to include coal and iron lands, as recited in the Patent from the United States of America to Union Pacific Railway Company dated February 27, 1897, recorded April 3, 1904 in Book I of Miscellaneous Records, page 533.
40. (Affects Section 31, Township 1 North, Range 3 East, Salt Lake Meridian and Section 5, Township 1 South, Range 3 East, Salt Lake Meridian)  
"Excepting and Reserving to said Union Pacific Railroad Company, a strip of land 400 feet wide to be used for a right-of-way or other railroad purposes for any railroad which has heretofore been or shall be laid over the premises and grantee or its successors and assigns shall erect and maintain a lawful fence between that portion of the premises hereby conveyed and the tract of land of said Union Pacific Railroad Company, its successors and assigns, upon a line not more than 200 feet distance from the center thereof whenever the same is required by said Union Pacific Railroad, its successors and assigns. Also excepting and reserving to said Union Pacific Railroad Company, its successors and assigns, the exclusive right to quarry stone and prospect for coal and other minerals within or underlying said lands and to mine for and remove the same if found and for this purpose shall have a right of way over and across said lands and space necessary for the conduct of said business thereon without charge or liability for damage therefor", as recited in the Deed from Union Pacific Railroad Company to Salt Lake City Corporation, dated March 13, 1907, recorded November 12, 1908 in Book I of Warranty Deeds, page 385, Official Records, of Summit County.
41. (Affects Section 32, Township 1 North, Range 3 East, Salt Lake Meridian)  
Subject to any easement or right of way as may have been established or acquired according to law and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that may have been constructed



by authority of the United States, as recited in the Patent from the State of Utah, to Thomas E. Jeremy, dated September 25, 1917, recorded October 18, 1917 in Book "L" of Warranty Deeds at page 359.

42. (Affects Sections 33 and 35, Township 1 North, Range 3 East, Salt Lake Meridian)  
Excluding and excepting all minerals should any such be found to exist but this exclusion and exception shall not be construed to include coal and iron land, as recited in the Patent from the United States of America to the Union Pacific Railroad Company dated November 7, 1901, recorded January 30, 1902, in Book "G" of Warranty Deed Records, page 472, and in the Patent from the United States of America to the Union Pacific Railroad Company, dated November 22, 1902, recorded February 9, 1903 in Book "H" of Warranty Deed Records, page 72.
43. (Affects all of Section 1, Township 1 South, Range 3 East, Salt Lake Meridian)  
Excluding and excepting all minerals, should any such be found to exist but this exclusion and exception shall not be construed to include coal and iron land, as recited in the Patent from the United States of America to the Union Pacific Railroad Company, dated September 22, 1903, recorded February 6, 1904 in Book "H" of Warranty Deed Records, at page 239, and in the Patent from the United States of America to the Union Pacific Railroad Company, dated February 27, 1897 recorded May 19, 1897 in Book "I" of Miscellaneous Records at page 533
44. (Affects all of Section 1, Township 1 South, Range 3 East, Salt Lake Meridian)  
Excepting and reserving to said Union Pacific Railroad Company, its successors and assigns, all coal and other minerals within or underlying said lands, together with the exclusive right to prospect for in and upon said land for coal and other minerals therein, or which may be supposed to be therein and to mine for and remove from said land all coal and other minerals which may be found thereon by anyone. Also, the right of ingress, egress and regress upon said land to prospect for, mine and remove any and all such coal or other minerals, and the right to use so much of said land as may be convenient or necessary for the right of way to and from such prospect places or mine and for the convenient and proper operations of such prospect places, mines and for roads, and approaches thereto, or for removal therefrom of coal, mineral machinery or other material. Also, the right of the said Union Pacific Railroad Company to maintain and operate its railroad in its present form of construction, and to make any change in the form of construction or method of operation of said railroad, as recited in the Deed from the Union Pacific Railroad Company to Elizabeth W. Jeremy dated August 8, 1907, recorded January 15, 1908 in Book "I" of Warranty Deed Records, page 253.
45. (Affects the Southwest quarter of Section 1, the North half of the South half of Section 4 and the North half of the Southeast quarter of Section 5, the North half of the Southwest quarter and the Southeast quarter of Section 2, Township 1 South, Range 3 East, Salt Lake Meridian)  
The right, privilege and authority to construct, operate and maintain its lines of telephone and telegraph including the necessary fixtures over and across said property and other lands and upon and along the roads adjoining said property with the right to permit the attachment of wires of any other company and the right to remove trees to keep the wires cleared at least 15 feet, as granted by E. J. Jeremy to the Mountain States Telephone and Tele-

graph Company by Right of Way dated November 10, 1932, and recorded December 15, 1932 in Book 7 of Miscellaneous, at page 8. Reference is hereby made to said Right of Way for the particulars thereof.

46. (Affects the Southwest Quarter of Section 1, Township 1 South, Range 3 East, Salt Lake Meridian)  
A right of way to lay, maintain, operate, repair, remove and replace a copper cable or other electrical conductor to consist of an electric wire pole line and a ground bed consisting of steel railroad rails, through and across, over or under said land together with the right of ingress and egress to and from the same as granted to Mountain Fuel Supply Company by Right of Way Grant from Thomas E. Jeremy, Trustee, dated September 18, 1946, recorded November 12, 1946 in Book "U" of Miscellaneous Records at page 217, Summit County, Utah. Reference is hereby made to said Right of Way Grant for the particulars thereof.
47. (Affects the Southwest quarter of Section 2, Township 1 South, Range 3 East, Salt Lake Meridian)  
A right of way to lay, maintain, operate, repair or remove a pipe line and erect, maintain, operate, repair, or remove a telegraph line if same shall be found necessary over, through and across the Southwest quarter of Section 2 and other lands, as granted to the Uinta Pipe Line Company by Right of Way Grant dated January 7, 1929, recorded September 16, 1929 in Book "S" of Miscellaneous Records, page 458. Said grant provides that the right of way shall be null and void in the event said pipeline is not installed within one year from the date of said instrument. Also null and void in case of failure to carry gas or operate or keep in operation said pipeline for a period of two years. Reference is hereby made to said Grant for the particulars thereof.
48. (Affects Section 2, Township 1 South, Range 3 East, Salt Lake Meridian)  
A right of way from Thomas E. Jeremy and wife and E. J. Jeremy Trust to the American Telephone & Telegraph Company of Wyoming dated March 4, 1942, and recorded August 25, 1942 in Book "X" of Miscellaneous Records, page 58, granting a right of way and easement to construct, operate, maintain, replace and remove such communication systems as the Grantee may from time to time require consisting of underground cables, etc., upon, over and under a strip of land one rod wide over and across said Section 2, and other lands, together with the right to clear said strip of trees and brush, etc. Reference is hereby made to said Right of Way for the particulars thereof.
49. (Affects the South half of the Southwest quarter of Section 2, Township 1 South, Range 3 East, Salt Lake Meridian)  
A perpetual easement and right of way for electric transmission, distribution and telephone circuits to be erected and maintained upon and across said land together with rights of ingress and egress necessary, as granted by the E. J. Jeremy Trust to the Utah Power and Light Company by instrument dated May 7, 1941, recorded June 16, 1941 in Book "W" of Miscellaneous Records, page 468. Reference is hereby made to said instrument for the particulars thereof.
50. (Affects the Southwest quarter of the Southwest quarter of Section 2, Township 1 South, Range 3 East, Salt Lake Meridian.)  
A Pole Line Easement from Thomas E. Jeremy and Rebecca D. Jeremy, his wife, to Utah Power and Light Company, dated August 17, 1965, recorded November 1, 1965 as Entry No. 102033 in Book M-3, page 276, Official Records, being a perpetual easement and right of way for the erection and continued maintenance,

repair, alteration and replacement of the electric transmission, distribution, and telephone circuits of the grantee, and 2 guy anchors and one pole, with the necessary guys, stubs, crossarms and other attachments thereon, or affixed thereto, for the support of said circuits, to be erected and maintained upon and across the premises of the Grantor, in Summit County, Utah, along a line described as follows:

One guy anchor located on the Grantor's land at a point 210 feet North and 1245 feet East, more or less, from the Southwest corner of Section 2, Township 1 South, Range 3 East, Salt Lake Meridian, and being the Southwest quarter of the Southwest quarter of said Section 2.

Also beginning at the North boundary fence of the Grantor's land at a point 5 feet North and 1215 feet East, more or less, from the Southwest corner of Section 2, Township 1 South, Range 3 East, Salt Lake Meridian, thence South 10° West 22 feet on said land and being in the Southwest quarter of the Southwest quarter of Section 2 and the Northwest quarter of the Northwest quarter of Section 11, Township and Range aforesaid.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights, privileges incident thereto, including the right to cut and remove timber, trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement.

51. (Affects Sections 3 and 5, Township 1 South, Range 3 East, Salt Lake Meridian.) Excluding and excepting all mineral lands should any such be found to exist but this exclusion and exception shall not be construed to include coal and iron lands, as recited in the Patent from the United States of America to the Union Pacific Railroad Company, dated November 22, 1902, recorded February 9, 1903 in Book "H" of Warranty Deed Records at page 72.
52. (Affects Lots 1, 2, 3 and the South half of the Northeast quarter of Section 2 and the North half of the Northeast quarter of Section 4, Township 1 South, Range 3 East, Salt Lake Meridian)  
Reserving to the State of Utah all coal and other minerals and to it or persons authorized by it the right to prospect for, mine and remove coal and other minerals from the same and also subject to any easement or right of way of the public to use all such highways as may have been established according to law over the same or any part thereof, and subject also to all right of way for ditches, tunnels and telephone and transmission lines that may have been constructed by authority of the United States, as recited in the Patent from the State of Utah to Ethan J. Jeremy dated May 10, 1944, recorded November 30, 1954 in Book "U" of Warranty Deeds, page 519.
53. (Affects all of Section 11, Township 1 South, Range 3 East, Salt Lake Meridian lying East and North of U. S. Highway 40, except that portion in the Northeast quarter of the Northeast quarter)  
Excluding and excepting all mineral lands should any such be found to exist but this exclusion and exception shall not be construed to include coal and iron land, as recorded in the Patent from the United States of America to the Union Pacific Railroad Company dated February 27, 1897, recorded in Book "I" of Miscellaneous Records, page 533.

54. (Affects that portion of Section 11, Township 1 South, Range 3 East, Salt Lake Meridian lying North and East of U. S. Highway 40) —  
A perpetual right of way and easement to construct, reconstruct, operate and maintain lines of telephone and telegraph upon, over and across the said Sections 11 and other lands, also along and/or under the roads adjoining said land with the right to trim trees, etc., to keep cable cleared at least 36 inches and remove all underbrush, etc. within 50 feet and right to permit the attachment of cables of other companies, as granted to the American Telephone and Telegraph Company of Wyoming from the Summit County Board of Commissioners dated October 8, 1942, recorded November 30, 1942 in Book "X" of Miscellaneous Records, page 142. The exact location of said right of way is not described in said Easement and reference is hereby made thereto for the particulars thereof.
55. (Affects Section 11, Township 1 South, Range 3 East, Salt Lake Meridian)  
The right of the State Road Commission to use a strip of land 10 feet wide in certain places and 30 feet wide in other places for the purpose of constructing and maintaining thereon a drainage ditch and appurtenant parts thereof, as granted to the State Road Commission of Utah from the E. J. Jeremy Trust by Easement dated April 25, 1941, recorded June 5, 1941 in Book "W" of Miscellaneous Records, page 455. Reference is hereby made to said Easement for the particulars thereof.
56. (Affects Section 6, Township 1 South, Range 4 East, Salt Lake Meridian)  
Subject to any easement or right of way of the public to use all such highways as may have been established according to law over the same or any part thereof, and subject also to all rights of way for ditches, tunnels and telephone and transmission lines that may have been constructed by authority of the United States, as recited in the Patent from the State of Utah to Ethan J. Jeremy, dated March 10, 1913, recorded November 13, 1913 in Book "K" of Warranty Deed Records, page 271.
57. Subject to any conflict with the land described herein, insofar as Lots 6 and 7 of Section 3, Township 1 South, Range 3 East, Salt Lake Meridian are in conflict with the Easterly side of HIDDEN COVE SUBDIVISION no. 1.
58. (Affects part of Section 2, 3 and 11, Township 1 South, Range 3 East, Salt Lake Meridian)  
A right of way for road purposes and ingress and egress from U.S. Highway 40 to HIDDEN COVE SUBDIVISION.
59. (Affects all of Section 14, Except the East half of the Southeast quarter, that portion of said property located in Section 15 and 17, all of Section 21, All of Section 23, All of Section 25, All of Section 27, All of Section 29, All of Sections 32, 33 and 35. All of Section 3, Township 1 South, Range 3 East, Salt Lake Meridian, All of Section 11 lying North of U.S. Highway 40 except that portion of the Northeast quarter of the Northeast quarter)  
Excepting and reserving to the Union Pacific Railroad Company, its successors and assigns:
1. All coal and other minerals within or underlying said land.
  2. The exclusive right to prospect in and upon said land for coal and other minerals therein, or which may be supposed to be therein, and to mine for and remove from said land all coal and other minerals which may be found thereon by anyone.
  3. The right of ingress, egress and regress upon said land to prospect for, mine, and remove any and all such coal and other minerals and the right to use so much of said land as may be convenient or necessary for the right

- of way to and from such prospect places or mines and for the convenient and property operation of such prospect places, mines and for roads and approaches thereto or for removal therefrom of coal, minerals, machinery or other material.
4. The right of way of Union Pacific Railroad Company to maintain and operate its railroad in its present form of construction and to make any changes in for of construction or method of operation of said railroad, as recited in the Warranty Deed from the Union Pacific Railroad Company to George O. Cannon Association, dated February 1, 1910 as recorded January 25, 1911, in Book I of Deeds, pages 225-28, and subsequent deeds of records, as to Section 14, 23, 25 and 27, dated February 1, 1910, recorded October 1, 1910 in Book "I" of Deeds, pages 173-6, and subsequent deeds of record, as to Sections 15, 17, 21 and 29, and as recited in a Warranty Deed from Union Pacific Railroad Company to Thomas E. Jeremy, dated January 18, 1910, recorded May 4, 1910 in Book "J" of Warranty Deed Records, page 132, as to Section 32, 33 and 35, and as recorded in a Warranty Deed from Union Pacific Railroad Company to John F. Howells and Erin A. Howard dated February 1, 1910, recorded November 17, 1910 in Book "J" of Warranty Deed Records, page 256, as to Section 3, Township 1 South, Range 1 East, Salt Lake Meridian, and as recited in a Warranty Deed from the Union Pacific Railroad Company to James B. Buzzo dated September 8, 1908, recorded September 23, 1908 in Book "I" of Warranty Deeds, page 376. Said Deed also recites subject to a right of way of the Rio Grande Western Railway Company's railroad as now constructed through, upon, over and across said land, as to Section 11.
60. A Right of Way Easement dated December 8, 1971, recorded September 18, 1972 as Entry No. 116995 in Book M-41 at page 114, Records of Summit County, State of Utah, wherein Jay R. Bingham grants to The Mountain States Telephone and Telegraph Company:  
"A Right-of-Way Easement and the right to construct, operate, maintain, and remove such communication and other facilities from time to time as said Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to-wit"  
An easement six feet (6') in width described by a center line with three feet (3') on either side as follows: Commencing 797 feet North and 285 feet East from the center of Section 10, Township 1 South, Range 3 East, Salt Lake Base and Meridian; thence North 7° 50' 00" West 70 feet to end."
61. The interest of Robert C. McCardell in Lot 11, HIDDEN COVE SUBDIVISION No. 1 by reason of that certain Notice of Interest recorded in the Official Records of the Summit County Recorder, Summit County, State of Utah.
62. A portion of said property has been subdivided as HIDDEN COVE SUBDIVISION NO. 1, Revised, by that certain Official Plat dated July 22, 1965, and recorded August 5, 1965 as Entry No. 101496, Official Records of Summit County, State of Utah, and this report is subject to the conditions and limitations of said Plat.
63. Restrictions imposed on HIDDEN COVE SUBDIVISION No. 1, Revised, as recorded as Entry No. 101415 in Book M-2, page 107, Official Records of Summit County, State of Utah.
64. Said property is located within the limits of an area designated under the Farm

Land Assessment Act of 1969 and said designation has been approved as a Green Belt Area. This Policy is issued subject to any tax liability which might result by reason of a roll-back tax in the event this designation is changed so as to incur the obligation for the payment of taxes as set forth under said statutes.

65. A Notice of Lis Pendens dated June 24, 1976, recorded June 24, 1976 as Entry No. 132323 in Book M-81 at page 364 of Official Records, wherein Tamco, Inc., on its own behalf and on behalf of all other shareholders of EMIGRATION LAND COMPANY, are Plaintiffs, vs. Diversified Mortgage Investors, and Emigration Land Company, are Defendants, for a decree declaring the Utah statutes, Sections 57-1-19 through 57-1-36, inclusive, Utah Code Annotated, 1953, as amended, unconstitutional in violation of the Fourteenth Amendment of the Constitution of the United States of America.
66. (Affects all of Section 2, except the East half of the Southeast quarter, Township 1 South, Range 3 East, Salt Lake Meridian)  
Subject to the interest of the Utah Central Railroad Company in and to the following described property: A strip of land 66 feet in width the center line of which is described as follows: Commencing 1710 feet North more or less from the Southwest quarter of said Section 2 and running thence Southeasterly 1690 feet more or less to the South Boundary of the North half of the Southwest quarter of said Section 2, containing 2.56 acres more or less, as disclosed by the Warranty Deed from Hyrum K. North and wife, dated April 12, 1900, recorded April 19, 1900 in Book E of Warranty Deeds, page 523.
67. (Affects Part of the South half of the South half of Section 2, Township 1 South Range 3 East, Salt Lake Meridian)  
Subject to the interest of the Salt Lake and Eastern Railway Company in and to the following described property: "A strip of land 4 rods wide by 126 rods long more or less where the railway is now located over and across the South half of the South half of said Section 2", as disclosed by the Deed from James B. Buzzo and wife, dated August 9, 1889, recorded December 17, 1889 in Book H of Miscellaneous, page 105.
68. Easements, claims of easement or encumbrances which are not shown by the public records.
69. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.

# INDENTURE (GARY MALVIN)

SEC 16 T1N R3 E	S1/2	SS-BDY-4
SEC 15 T1N R3E	SE1/4	SS-BDY-5
SEC 20 T1N R3E	S/12	SS-BDY-1
SEC 21 T1N R3E	ALL	SS-BDY-3
SEC 22 T1N R3E	ALL	SS-BDY-6
SEC 25 T1N R3E	S1/2	SS-BDY-10
SEC 26 T1N R3E	NW1/4 & S1/2	SS-BDY-9
SEC 27 T1N R3E	ALL	SS-BDY-13
SEC 28 T1N R3E	ALL	SS-BDY-12
SEC 29 T1N R3E	ALL	SS-BDY-14
SEC 32 T1N R3E	ALL	SS-129
SEC 33 T1N R3E	ALL	SS-130
SEC 34 T1N R3E	ALL	SS-131, SS-132, SS-132-A & SS-132-B
SEC 35 T1N R3E	ALL	SS-133-A
SEC 36 T1N R3E	ALL	SS-134
SEC 1 T1S R3E	ALL	SS-1-A, SS-1-A-3, SS-1-A-6, SS-1-A-4, SS-1-A-10, SS-1-A-7-X, SS-1-A-1-X, SS-1-A-2, SS-1-A-B & SS-1-5-X
SEC 2 T1S R3E	ALL	SS-3-C, SS-3-G, SS-3-G-1, SS-3 & SS-3-F
SEC 3 T1S R3E	ALL	SS-4-D, SS-4-E, SS-4-E, SS-4, SS-3-G, SS-4-F & SS-4-A-W
SEC 4 T1S R3E	ALL	SS-5 & SS-5-A
SEC 5 T1S R3E	ALL	SS-7
SEC 9 T1S R3E	NE1/4	PP-33-A
SEC 11 T1S R3E	NE1/4	SS-3-F, SS-8-A-2-A, PP-5 & PP-50-X
SEC 12 T1S R3E	N1/2	PP-50-C, PP-50-B, S-209, SS-1-A-7-X, SS-1-A-1-, SS-1-A & SS-1-A-5-X
SEC 6 T1S R4E	NE1/4 & SE1/4	SS-14 & SS-14-C
SEC 7 T1S R4E	ALL	
THE PRESERVE PHASE 3	PRESRV-3-LOT#	(40)
RIDGE AT RED HAWK	RRH-LOT#	(40)
THE PRESERVE PHASE 1	PRESRV-1-LOT#	(24)
GLENWILD PHASE 1	GWLD-LOT#	(103)
TRAILS @ JEREMY RANCH	TJR-LOT#	(20)
JEREMY RANCH PLAT 5	JR-5-LOT#	(149)
JERMEY RANCH PLAT 4	JR-4-LOT#	(149)
BACK NINE A3	BN-A-3-LOT#	(19)
BACK NINE B3	BN-B-3-LOT#	(29)
JEREMY RANCH GOLF COURSE	JGC-LOT#	(5)
JEREMY RANCH PLAT 3	JR-3-LOT#	(93)

CANYON LINKS @ JEREMY RANCH GOLF & COUNTRY CLUB PHASE 1

CLJR-1-LOT#	(56)		
CREEK VIEW ESTATE	CV-LOT#	(17)	
BACK NINE A1	BN-A-1-LOT#	(16)	
BACK NINE B1	BN-B-1-LOT#	(13)	
BACK NINE A2	BN-A-2-LOT#	(30)	
BACK NINE B2	BN-B-2-LOT#	(12)	
JEREMY RANCH PLAT 3	JR-3-LOT#	(93)	
JEREMY RANCH PLAT 2	JR-2-LOT#	(149)	
JEREMY RANCH PLAT 1	JR-LOT#	(134)	
JEREMY RANCH PLAT B	JR-B-LOT#	(17)	
VIEW POINT @ JEREMY RANCH A	VPJR-LOT#	(6)	
VIEW POINT @ JEREMY RANCH B	VPJR-B-LOT#	(8)	
VIEW POINT @ JEREMY RANCH C	VPJR-C-LOT#	(8)	

CANYON LINKS @ JEREMY RANCH GOLF & COUNTRY CLUB PHASE 3

CLJR-2-LOT#	(33)		
MOOSE HOLLOW SUB	MOOSE-LOT#-AM	(27)	
HIDDEN COVE	HC-1-LOT#	(109)	
JEREMY RANCH PLAT A	JR-A-LOT#	(20)	
JEREMY WOODS CONDO AMENDED	JW-AM-LOT#	(22)	
CIRCLE J CLUB @ JEREMY RANCH	CJJ-UNIT#-AM	(8)	
JEREMY COVE SUB	JCVE-LOT#	(15)	
THE WOODS AT PARLEYS LAND SUB	WPL-LOT#-AM	(51)	