# **SCHEDULE B-TITLE EXCEPTIONS**

- 1. Taxes (not Plottable)
- Said land is located within the boundaries of Carbon County, Carbon Water Conservancy District, and may be subject to taxes or assessments levied by said (City or District). (Not Plottable)
- 3. Subject to any rights, title or interests in coal, oil, gas and minerals of any kind, together with any associated rights to mine or remove said minerals. Title Company does not purport to disclose documents of record pertaining to the above referenced rights. The following reservations were found of record:
- a) Any claim, right, title or interest under the Reservation by the USA for all minerals, as disclosed in the Patent recorded May 22, 1989 in Book 288 at Page 671. The Title Company has not verified the vested current owner of this severed interest.

  (Parcels 2)
- b) Any claim, right, title or interest under the Reservation by the State of Utah for all coal and other mineral deposits, and all sub-surface void and pore spaces whether naturally existing or created upon the removal of any coal, oil gas and other mineral deposits, as disclosed in the Patent recorded November 10, 2008 in Book 685 at Page 673. The Title Company has not verified the vested current owner of this severed interest.
- c) Any claim, right, title or interest under the Reservation by Union Bank, A Califonia Banking Corporation,
  Trustee for all mineral rights below 100 feet of the surface, as disclosed in the Quit Claim Deed recorded
  March 25, 1974 in Book 145 at Page 570, as to an undivided 70% of a 50% interest. The Title Company has
  not verified the vested current owner of this severed interest.

  (Affects parcel 3 & 4)
- d) Any claim, right, title or interest under the Reservation by Ruth Briskin Re: the Estate of Anna Frankley, deceased for all mineral rights below 100 feet of the surface, as disclosed in the Quit Claim Deed recorded May 31, 1974 in Book 147 at Page 259, as to an undivided 6% of a 50% interest. The Title Company has not verified the vested current owner of this severed interest.
- e) Any claim, right, title or interest under the Reservation by Roslyn G. Spencer for all mineral rights below 100 feet of the surface, as disclosed in the Quit Claim Deed recorded May 31, 1974 in Book 147 at Page 260, as to an undivided 6% of a 50% interest. The Title Company has not verified the vested current owner of this severed interest.
- (Affects parcel 3 & 4)
  f) Any claim, right, title or interest under the Reservation by Roslyn G. Spencer Re: the Estate of Francis Golding, deceased for all mineral rights below 100 feet of the surface, as disclosed in the Quit Claim Deed recorded January 12, 1979 in Book 185 at Page 262, as to an undivided 6% of a 50% interest. The Title Company has not verified the vested current owner of this severed interest.
- g) Any claim, right, title or interest under the Reservation by Marc C. Bingham and Maureen Bingham for all oil, gas and other minerals and mineral rights, as disclosed in the Warranty Deed recorded January 1, 1997 in Book 383 at Page 66. The Title Company has not verified the vested current owner of this severed interest. (Affects parcel 3 & 4)
- 4. Any rights associated with utility easements, as disclosed on the recorded plat of the Fairground Estates Subdivision, recorded on August 15, 1997 in Book 5 of Plats at Page 24. Said Subdivision has been vacated as disclosed by Resolution No. 400, recorded on July 10, 2008 in Book 677 at Page 165, and by the vacated plat, recorded on July 10, 2008 in Book 677 at Page 167. Also, subject to errors in the legal description of the Resolution described above. The Title COmpany notified Carbon County that an Amended & Corrected Resolution needed to be recorded.
- (Affects a portion of parcel 2 & 3))

(Affects parcel 3 & 4)

(Affects parcel 3 & 4)

- (Subdivision has been vacated and therefore said easements do not apply unless utilities have been installed)
  5. An apparent unrecorded Coal Lease # STA-U-30233 as disclosed in the following documents:
- An Assignment of Overriding Royalty by Jack J. Grynberg in favor of Celeste C. Grynberg and Dean G. Smernoff as co-trustees for Rachel Susan Grynberg beneficiary under the "Rachel Susan Trust"; Celeste C. Grynberg and Dean G. Smernoff as co-trustees for Stephen March Grynberg beneficiary under the "Stephen Mark Trust"; Celeste C. Grynberg and Dean G. Smernoff as co-trustees for Miriam Zela Grynberg beneficiary under the "Miriam Zela Trust", recorded September 29, 1976 in Book 162 at Page 808.
- An Assignment by and between Jack J. Grynberg and Celeste C. Grynberg, recorded February 11, 1981 in Book 204 at Page 475.

  (Parcel 1)
- 6. Subject to the following rights as disclosed in the Patent recorded May 22, 1989 in Book 288 at Page 671, as follows: A right of way, Serial No. UTSL-064827, for a powerline.
- A right of way, Serial No. UTU-54744, for a natural gas pipeline. A right of way, Serial No. UTU-54744, for a water pipeline
- A right of way for the existing county road for public access and use.
- A right of way thereon for ditches and canals constructed by the authority of the United States. (Affects parcel 2)
- (Utilities, canals and ditches have been shown hereon)

  7. An Oil, Gas and Hydrocarbon Lease by the Division of State Lands in favor of Gulf Oil Corporation, for a term of 10 years, or as long thereafter as substances are produced, recorded August 26, 1993 in Book 332 at Page 705 as Mineral
- An Assignment wherein Chevron assigns to Texaco Inc., recorded November 2, 1987 in Book 276 at Page 572.

  A Mineral Lease Assignment Form wherein Texaco Exploration and Production Inc. assigns to River Gas of Utah,
- Inc., recorded April 14, 1993 in Book 326 at Page 791.

  An Affidavit Concerning Merger of Gulf Oil wherein Gulf Oil merged with Chevron USA, Inc., recorded October 18, 1993 in Book 335 at Page 412.
- An Assignment of Bill of Sale by Chevron USA Inc., in favor of Devon Uinta Basin Corporation, recorded February 20, 2009 in Book 692 at Page 363.
- An Affidavit of Ownership wherein XTO Energy Inc. is the owner in whole or in part of the oil and gas properties, recorded June 3, 2009 in Book 700 at Page 727.
- Various other documents which may affect the above lease that may not be or record as the Recorder's Office. (Affects parcels 1 & 2)

- 8. An Oil and Gas Lease, executed by Maureen J. Berry fka Maureen Bingham, a married woman dealing in her sole and separate property in favor of ConocoPhillips Company recorded November 21, 2003 in Book 554 at page 129, for a term of 5 years or as long thereater as substances are produced. Assigned to Chevron U.S.A., Inc. an undivided 50% interest recorded May 23, 2005 in Book 591 at Page 316.

  (Affects parcels 3 & 4)
- 9. Subject to the following rights as disclosed in the Patent recorded November 10, 2008 in Book 685 at Page 673, as follows:
- An easement across the property as may be necessary and reasonable to access lands administered by the School and Institutional Trust Lands Administration.
- A right of way thereon for ditches and canals constructed by the authority of the United States.
- A right of way for a 7.2 KV power line granted to Pacificorp, DBA Rocky Mountain Power on record with the Trust Land Administration as ROW 3033.
- An Oil Gas and Hydrocarbon Lease with ConocoPhillips Company on record with the Trust Land Administration as ML 39038.
- An Easement No. 273 granted to Pacificorp, DBA Rocky Mountain Power for a 46kV power line on record with the Trust Land Administration.

  (Affects parcel 1)
- 10. An Oil and Gas Lease, executed by Mar C. Bingham, a married man dealing in his sole and separate property in favor of ConocoPhillips Company, recorded November 21, 2003 in Book 554 at page 132 for a term of 5 years or as long thereafter as substances are produced Assigned to Chevron U.S.A., Inc. an undivided 50% interest recorded May 23, 2005 in Book 591 at Page 316.
- (Affects parcels 3 & 4)
- 11. Any rights associated with the Carbon Canal. (Affects parcels 3 & 4)
- 12. Any rights of the County or the public to those lands lying within Fairground Road, which either abut or run through the lands.
- 13. Subject to those matters as set forth on the ALTA/ACSM Land Title Survey as prepared by LEI Engineers, Surveyors & Planners, project #2012-1847 and Dated December 17, 2012 and as amended May 17, 2013, as provided to the Title Company, and are as follows:
  - a) Various dirt roads running through said lands.
  - b) Location of existing fence line on the Southerly boundary and below South Boundary.
  - c) Existing sewer manhole located in the Northwest corner of Section 20, and a sewer line from the manhole running across lands located within Fairgrounds Road.
  - d) Existing gas lines running East and West across various portions of lands located within the Fairgrounds Road. Also, existing gas lines running Northerly and Southerly parallel with the Easterly boundary of lands located within the Fairgrounds Road.
  - e) Existing water lines (PRWID) running Northerly and Southerly parallel with the Easterly boundary of lands located within Fairgrounds Road. Also existing water line across the Southwesterly corner of said lands across portions of lands located within Fairgrounds Road.
  - f) Existing overhead and underground power lines and power poles running Northerly and Southerly parallel with the Easterly boundary of lands located within the Fairgrounds Road. Also existing power lines across the Southwesterly corner of said lands and across portions of lands located within Fairgrounds Road.

# RECORD DESCRIPTIONS

## Parcel 1

Beginning at a point located South 0°10'31" East along the Section line 99.39 feet from the Northeast corner of Section 19, Township 14 South, Range 10 East, SLB&M; thence South 0°10'31" East along the Section line 231 feet; thence South 89°48'06" West 68.32 feet; thence North 16°17'56" East along the proposed right-of-way line of Fairgrounds Road 240.91 feet to the point of beginning.

Also, Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 19, Township 14 South, Range 10 East, SLB&M; said point is also located South 0°10'31" East along the Section line 1321.54 feet from the Northeast corner of Section 19; thence South 89°45'46" West along the 1/16th (40 acre) Section line 361.53 feet; thence North 16°17'56" East along the projection of the Easterly right-of-way line of the Fairgrounds Road 344.70 feet; thence North 89°46'33" East 263.78 feet to the Section line; thence South 0°10'31" East along the Section line 330.38 feet to the point of beginning.

Less therefrom all coal and other minerals and mineral rights which were previously reserved or conveyed.

(Tax Parcel No.: 2-1074-16)

### Parcel 2

All of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 19, Township 14 South, Range 10 East, SLB&M described by survey as follows:

Beginning at a point which is South 00°10'32" East along the Section line 661 feet (based upon the Utah State Coordinate System, central zone and data published by the Carbon County Surveyor as of April 1995) from the Northeast corner of Section 19, Township 14 South, Range 10 East, SLB&M; thence South 89°47'12" West 332.82 feet; thence North 00°11'34" West 330.58 feet; thence North 89°48'03" East 332.92 feet to the Section line; thence South 00°10'32" East along said Section line 330.50 feet to the point of beginning.

#### ALSO

All of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 19, Township 14 South, Range 10 East, SLB&M described by survey as follows:

Beginning at a point which is South 00°10'32" East along the Section line 661 feet (based upon the Utah State Coordinate System, central zone and data published by the Carbon County Surveyor as of April 1995) from the Northeast corner of Section 19, Township 14 South, Range 10 East, SLB&M; thence South 00°10'32" East along said Section line 330.50 feet; thence South 89°46'21" West 332.72 feet; thence North 00°11'34" West 330.58 feet; thence North 89°47'12" East 332.82 feet to the point of beginning.

Less those lands conveyed to State of Utah, School and Institutional Trust Lands Administration in that certain General Warranty Deed recorded November 10, 2008 in Book 685 at Page 676, described by survey as follows:

Beginning at the Northwest Corner of the SE1/4 of the NE1/4 of the NE 1/4 of the NE1/4 of Section 19, T14S, R10E, SLB&M; said point is also located South 89°48'52" West along the Section line 332.90 feet and South 0°11'26" East 330.46 feet from the Northeast Corner of said Section 19; thence N89°48'06" East 191.49 feet to the Westerly right-of-way line of the Fairgrounds Road; thence South 16°17'56" West along said Road 674.64 feet; thence North 0°11'26" West 646.87 feet to the point of beginning.

Less therefrom all oil, gas and other minerals and mineral rights which were previously reserved or conveyed.

(Tax Parcel No.: 2-1074-4)

### Parcel 3

Beginning at the Northwest Corner of Section 20, Township 14 South, Range 10 East, Salt Lake Base and Meridian (based on the Utah State Coordinate System, Central Zone and data published by the Carbon County Surveyors of April 1995); thence North 88°41' 13" East along the section line 432.00 feet to the center line of the Carbon Canal; thence along said canal center line as follows: South 26°44'00" East 77.75 feet; South 42°14'00" East 196.15 feet; South 19°43'00" East 214.00 feet; South 30°19'00" East 134.65 feet, South 22°15'30" East 214.00 feet, South 37°32'00" East 95.00 feet, South 42°12'00" East 102.50 feet, South 31°12'00" East 211.00 feet, South 41°04'00" East 72.50 feet, South 46°27'30" East 72.50 feet, South 56°49'00" East 115.00 feet, South 52°24'00" East 87.54 feet to the 40 acre line; thence South 00°20' 07" East along said 40 acre line 21.95 feet to the Southeast corner of the Northwest Quarter Northwest Quarter of said Section 20; thence South 88°50'03" West along the 40 acre line 1318.10 feet to the Southwest corner of the Northwest Quarter Northwest Quarter of said Section 20; thence North 00°10'32" West along the section line 1322.00 feet to the point of beginning.

Less therefrom that portion commonly known as Tax Parcel # 2-1094-1, described as follows:

Beginning South 00°10'32" East 477.47 feet along the Section Line and East 1.46 feet from the Northwest corner of Section 20, Township 14 South, Range 10 East, SLB&M (based on the Utah State Coordinate System, Central Zone and data published by the Carbon County Surveyors of April 1995); thence North 77°07'42" East 658.93 feet to the center line of the Carbon Canal; thence along said canal center line as follows: South 19°43'00" East 80.25 feet; thence South 30°19'00" East 134.65 feet; thence South 22°15'30" East 214 feet; thence South 37°32'00" East 95 feet; thence South 42°12'00" East 102.50 feet; thence South 31°12'00" East 211 feet; thence South 41°04'00" East 72.5 feet; thence South 46°27'30" East 72.50 feet; thence South 56°49'00" East 115 feet; thence South 52°24'00" East 87.54 feet to the 40 acre line; thence South 00°20'07" East along said 40 acre line 21.95 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South 88°50'03" West along the 40 acre line 1318.10 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 20; thence North 00°10'32" West along the Section line 844.53 feet to the point of beginning.

Less therefrom all oil, gas and other minerals which were previously reserved or conveyed.

(Tax Parcel No.: 2-1094)

# Parcel 4

Beginning South 00°10'32" East 477.47 feet along the Section Line and East 1.46 feet from the Northwest corner of Section 20, Township 14 South, Range 10 East, SLB&M (based on the Utah State Coordinate System, Central Zone and data published by the Carbon County Surveyors of April 1995); thence North 77°07'42" East 658.93 feet to the center line of the Carbon Canal; thence along said canal center line as follows: South 19°43'00" East 80.25 feet; thence South 30°19'00" East 134.65 feet; thence South 22°15'30" East 214 feet; thence South 37°32'00" East 95 feet; thence South 42°12'00" East 102.50 feet; thence South 31°12'00" East 211 feet; thence South 41°04'00" East 72.5 feet; thence South 46°27'30" East 72.50 feet; thence South 56°49'00" East 115 feet; thence South 52°24'00" East 87.54 feet to the 40 acre line; thence South 00°20'07" East along said 40 acre line 21.95 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South 88°50'03" West along the 40 acre line 1318.10 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 20; thence North 00°10'32" West along the Section line 844.53 feet to the point of beginning.

Less therefrom all oil, gas and other minerals which were previously reserved or conveyed.

(Tax Parcel No.: 2-1094-1)

# SURVEYED DESCRIPTION

A portion of the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 14 South, Range 10 East, Salt Lake Base and Meridian in Carbon County, Utah, described as follows:

Beginning at a point located N88°41'36"E along the Section Line 29.57 feet from the Northwest Corner of Section 20, Township 14 South, Range 10 East, Salt Lake Base and Meridian; thence N88°41'36"E along the Section Line 403.21 feet to the centerline of the Carbon Canal; thence southeasterly along the centerline of said canal the following twenty three (23) courses: S2°47'44"E 17.61 feet; thence along the arc of a 50.00 foot radius curve to the left 39.99 feet through a central angle of 45°49'33" (chord: S25°42'30"E 38.93 feet); thence S48°37'17"E 41.95 feet; thence along the arc of a 500.00 foot radius curve to the right 316.17 feet through a central angle of 36°13'51" (chord: S30°30'21"E 310.93 feet); thence along the arc of a 250.00 foot radius curve to the left 90.05 feet through a central angle of 20°38'14" (chord: S22°42'33"E 89.56 feet); thence S33°01'40"E 93.66 feet; thence along the arc of a 450.00 foot radius curve to the right 169.49 feet through a central angle of 21°34'50" (chord: S22°14'15"E 168.49 feet); thence along the arc of a 200.00 foot radius curve to the left 49.88 feet through a central angle of 14°17'20" (chord: S18°35'30"E 49.75 feet); thence S25°44'09"E 29.43 feet; thence along the arc of a 100.00 foot radius curve to the left 36.78 feet through a central angle of 21°04'32" (chord: S36°16'25"E 36.58 feet); thence S46°48'41"E 86.05 feet; thence along the arc of a 200.00 foot radius curve to the right 56.44 feet through a central angle of 16°10'10" (chord: S38°43'36"E 56.26 feet); thence S30°38'31"E 92.71 feet; thence S25°15'21"E 61.64 feet; thence S35°09'38"E 39.53 feet; thence S30°50'38"E 49.55 feet; thence along the arc of a 100.00 foot radius curve to the left 29.25 feet through a central angle of 16°45'23" (chord: S39°13'19"E 29.14 feet); thence S47°36'00"E 92.61 feet; thence along the arc of a 200.00 foot radius curve to the left 24.88 feet through a central angle of 7°07'43" (chord: S51°09'52"E 24.87 feet); thence S54°43'43"E 48.42 feet; thence along the arc of a 200.00 foot radius curve to the left 37.43 feet through a central angle of 10°43'21" (chord: S60°05'24"E 37.37 feet); thence S65°27'05"E 32.74 feet; thence along the arc of a 300.00 foot radius curve to the right 63.57 feet through a central angle of 12°08'25" (chord: S59°22'52"E 63.45 feet) to the east line of the Northwest Quarter of the Northwest Quarter of said Section 20; thence S0°19'56"E along said east line 30.09 feet to the Southeast Corner of the Northwest Quarter of said Section 20; thence S88°50'04"W 1317.94 feet along the south line of said Northwest Quarter to the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 20; thence S89°46'39"W 336.01 feet along the south line of the Northeast Quarter of the Northeast Quarter of Section 19, Township 14 South, Range 10 East, Salt Lake Base and Meridian, to the northwest corner of that real property described in Deed Book 194 at Page 563 in the official records of the Carbon County Recorder, said point also being on the easterly right-of-way line of Fairgrounds Road; thence along the easterly right-of-way line of Fairgrounds Road the following two (2) courses: N1°10'13"E 94.04 feet; thence N16°17'56"E 1281.32 feet to the point of beginning.

Contains: ±29.88 Acres



SURVEYORS
PLANNERS

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LB&M, CARBON CO. PRICE, UTAH ALASKA, LLC SIDING BISHOP OF THE

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REVISIONS

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2012-1847
DRAWN BY:

CAP
CHECKED BY:
RWH
SCALE:

1" = 80'

DATE:
2/17/2014

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