

REV05042015

After recorded return to:
Rocky Mountain Power
Gary Lawley
320 N 100 W
Moab, UT 84532

Ent 533776 Bk 880 Pg 633-636
Date: 06-MAR-2019 10:46:10AM
Fee: \$14.00 Cash Filed By: GWK
JOHN ALAN CORTES, Recorder
GRAND COUNTY CORPORATION
For: VIEW GATE DEVELOPMENT LLC

Project Name: WINGATE HOTEL, 1248 S. HWY 191. MOAB
WO#: 6528005
RW#: 1

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **View Gate Development LLC** ("Grantor"), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 364 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in **Grand** County, State of **Utah** more particularly described as follows and as more particularly described and/or shown on Exhibit(s) "A" attached hereto and by this reference made a part hereof:

Legal Description: A 20 foot wide Power Easement being located within the Southwest Quarter of Section 7, T26S, R22E, SLB&M, being more particularly described as:
Beginning at a point being North 16°32'52" West 1212.15 feet from the South Quarter corner of Section 7, Township 26 South, Range 22 East, Salt Lake Base and Meridian, and running thence North 65°38'47" West 101.42 feet; thence North 25°09'28" East 111.53 feet to a point on Grantor's parcel line ; thence along said line North 53°54'00" East 20.16 feet; thence along said line North 22.24 feet; thence North 18°50'36" East 37.35 feet to a point on US Highway 191 right-of-way; thence along said right-of-way South 65°39'00" East 20.09 feet; thence South 18°50'36" West 32.11 feet; thence South 29.09 feet; thence South 53°54'00" West 25.21 feet; thence South 25°09'28" West 86.12 feet; thence South 65°38'47" East 81.14 feet; thence South 24°21'13" West 20.00 feet to the point of beginning, having an area of 5,463 square feet, 0.125 acre.
(Basis of Bearing is S 89°58'50" West between the S 1/4 corner and the SW corner of Section 7, T26S, R22E, SLB&M)

Assessor Parcel No.

02-007-0090

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Dated this 5th day of MARCH, 2019

Alan O. Melchior
View Gate Development LLC GRANTOR

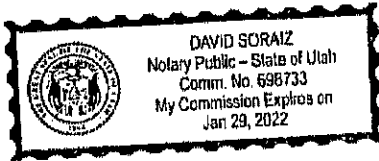
Acknowledgment by a Corporation, LLC, or Partnership:

STATE OF Utah)
County of Salt Lake) ss.

On this 5th day of March, 2019, before me, the undersigned Notary Public in and for said State, personally appeared Alan O. Melchior (name), known or identified to me to be the Acting Secretary/Manager (president / vice-president / secretary / assistant secretary) of the corporation, or the (manager / member) of the limited liability company, or a partner of the partnership that executed the instrument or the person who executed

the instrument on behalf of New Gate Development LLC (entity name), and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



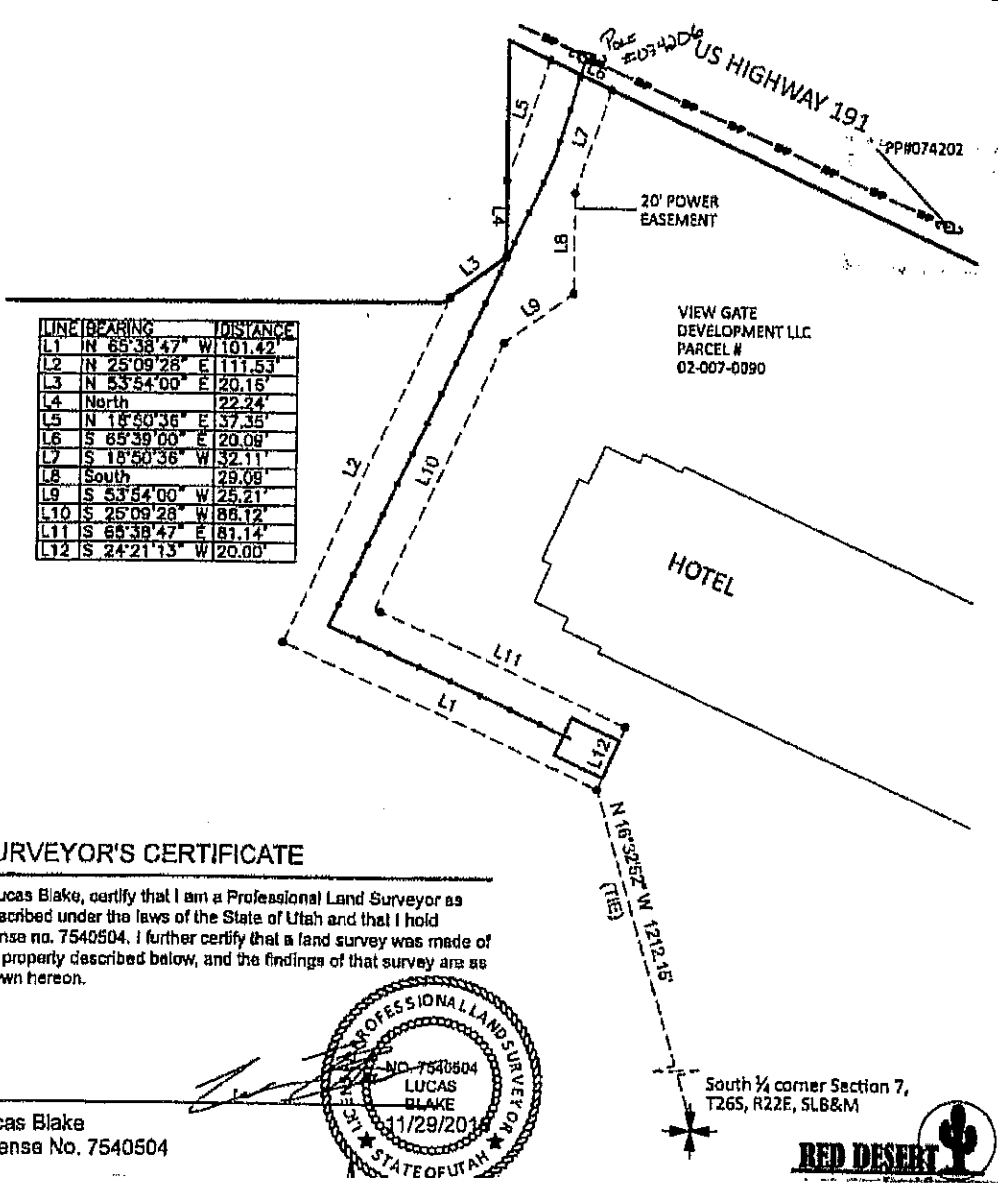
[Handwritten Signature]

(notary signature)

NOTARY PUBLIC FOR Utah (state)
Residing at: Salt Lake City Utah (city, state)
My Commission Expires: 29/Jan/2022 (d/m/y)

Property Description

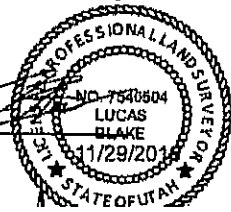
Quarter: _____ Quarter: 5 Section: 7 Township 26 S,
 Range 22 E, SLM Meridian
 County: GRAND State: UTAH
 Parcel Number: d/a 09-007-009D



LINE	BEARING	DISTANCE
L1	N 65°38'47" W	101.42'
L2	N 25°09'28" E	111.53'
L3	N 53°54'00" E	20.16'
L4	North	22.24'
L5	N 18°50'36" E	37.35'
L6	S 85°39'00" E	20.08'
L7	S 18°50'36" W	32.11'
L8	South	29.09'
L9	S 53°54'00" W	25.21'
L10	S 25°09'28" W	88.12'
L11	S 65°38'47" E	81.14'
L12	S 24°21'13" W	20.00'

SURVEYOR'S CERTIFICATE

I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that a land survey was made of the property described below, and the findings of that survey are as shown hereon.



Lucas Blake
 License No. 7540504

South 1/4 corner Section 7,
 T26S, R22E, 5LB&M



CC#: WO#: 11406 6528005
 Landowner Name: VIEW GATE DEV.
 Drawn by: RED DESERT SURVEYING

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

EXHIBIT A



SCALE: