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12/07/2015 11:54 AM \$16.00  
Book - 10385 Pg - 3540-3543  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
ROCKY MOUNTAIN POWER  
ATTN: LISA LOUDER  
1407 W NORTH TEMPLE STE 110  
SLC UT 84116-3171  
BY: TWA, DEPUTY - WI 4 P.

4 REV05042015  
Return to:  
Rocky Mountain Power  
Lisa Louder/ Del Edwards  
1407 West North Temple Ste. 110  
Salt Lake City, UT 84116

Project Name: ACC Liberty Blvd Assoc LLC  
WO#: 6022968  
RW#:

### **UNDERGROUND RIGHT OF WAY EASEMENT**

For value received, **BC-TOD L.C.** ("Grantor"), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), an easement for a right of way of abstract shape described in more detail below, 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 **Salt Lake 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: BEG AT THE SE CORNER OF LOT 3. BLK 31, PLAT B, SLC SUR; THENCE S 89°58'05" W ALONG THE S LINE OF SAID LOT 3, 10 FT; THENCE N 0°01'55" W 248.87 FT; THENCE W 7.34 FT; THENCE N 56°30'50" W 25.98 FT; THENCE N 0°01'55" W 36.81 FT; THENCE E 29 FT; THENCE N 0°01'55" W 50.49 FT; THENCE E 10 FT; THENCE S 0°01'55" E ALONG E LOT LINE 350.51 FT TO THE POINT OF BEG.**

Assessor Parcel No. 16053080630000

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.

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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 6<sup>th</sup> day of November, 2015.

BC-TOD L.C.

  
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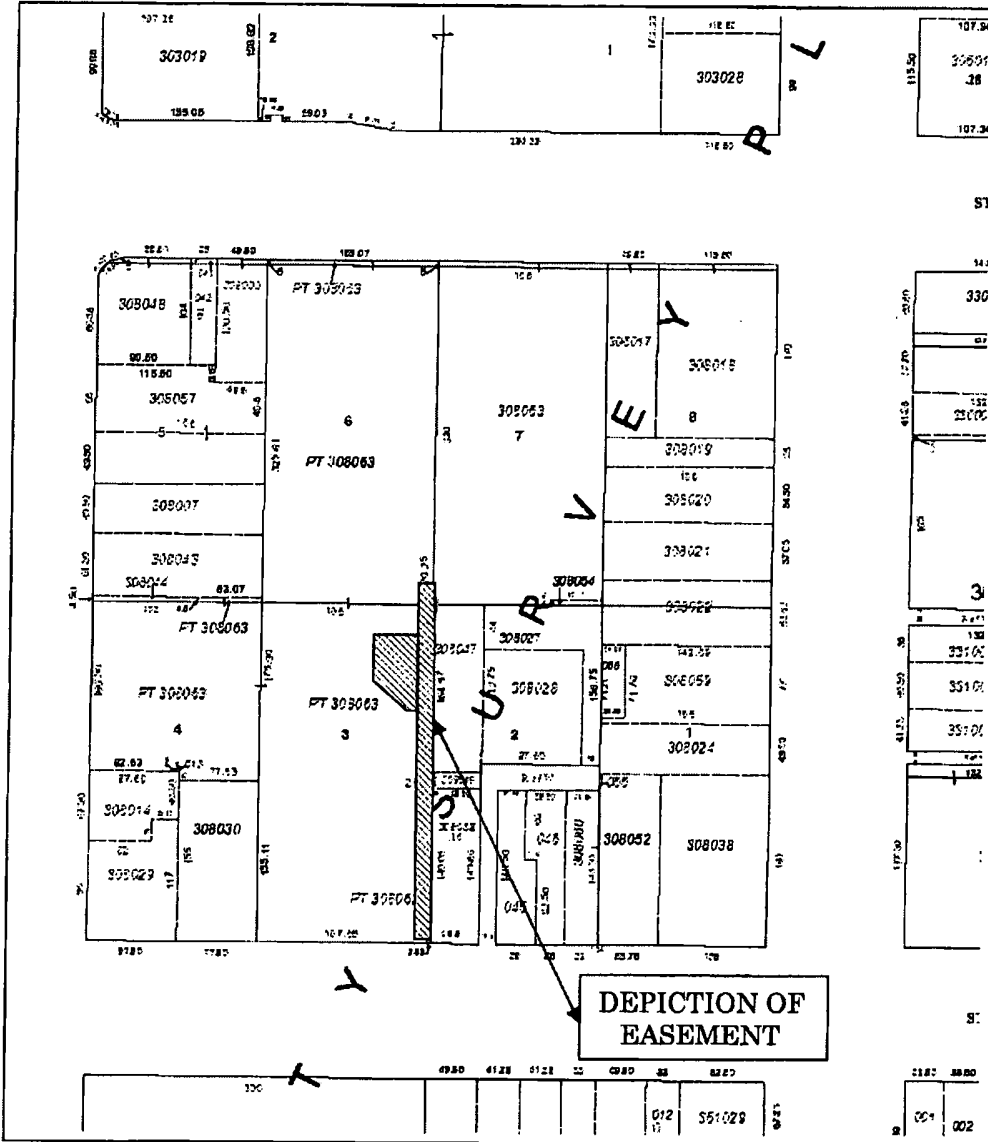
**GRANTOR**

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**GRANTOR**



# Property Description

Quarter: W 1/2 Quarter: SW 1/4 Section: 5 Township 1S, Range 1E,  
 Salt Lake Meridian  
 County: Salt Lake State: Utah  
 Parcel Number: 16053080630000



CC#: 11441 WO#: 6022968  
 Landowner Name: BC-TOD L.C.  
 Drawn by: p11710

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: NTS