

REV05042015

Return to:
Rocky Mountain Power
Lisa Louder/Roy Avery
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

Project Name: Eos Fitness Utah electric service
WO#: 6840647
RW#:



W3090937

E# 3090937 PG 1 OF 5
LEANN H KILTS, WEBER COUNTY RECORDER
06-OCT-20 1135 AM FEE \$40.00 DEP DC
REC FOR: ROCKY MOUNTAIN POWER

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **BG Roy Fitness, LLC**, an Arizona limited liability company (“Grantor”), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, (“Grantee”), an easement for a right of way 10 feet in width and 75 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 **Weber** 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:

Legal Description of Property

Part of the Northeast quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point 783.3 feet South and 175 feet North 89°58' West of the Northeast corner of said quarter Section;

Thence South 343.65 feet;

Thence East 125 feet to the West line of Highway;

Thence South 52.35 feet;

Thence West 463 feet;

Thence North 66 feet;

Thence West 122 feet to the West line of 2000 West Street;

Thence North 198 feet along street;

Thence East 5 feet;

Thence North 0°10' East 112.10 feet

Thence around the arc of a 20-foot radius curve to the right 31.37 feet;

Thence South 89°58' East 181 feet;

Thence South 0°10' West 132 feet

Thence South 89°58' East 138 feet;

Thence North 0°10' East 132 feet;

Thence South 89°58' East 116 feet to Beginning.

Assessor Parcel No. 091020007

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.

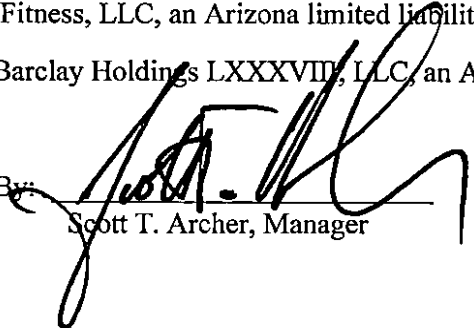
To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury with respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury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

Dated this 20th day of August, 2020.

GRANTOR:

BG Roy Fitness, LLC, an Arizona limited liability company

By: Barclay Holdings LXXXVII, LLC, an Arizona limited liability company

By: 

Scott T. Archer, Manager

Acknowledgement by a Corporation, LLC or Partnership:

STATE OF Arizona)
) ss.
County of Maricopa)

On this 20th day of August, 2020, before me, the undersigned Notary Public in and for said State, personally appeared Scott T. Archer, known or identified to me to be the Manager of Barclay Holdings LXXXVIII, LLC, an Arizona limited liability company, the sole Manager of BG Roy Fitness, LLC, an Arizona limited liability company, that executed the instrument of the person that executed the instrument on behalf of BG Roy Fitness, LLC, 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.

Karol D. Nelson

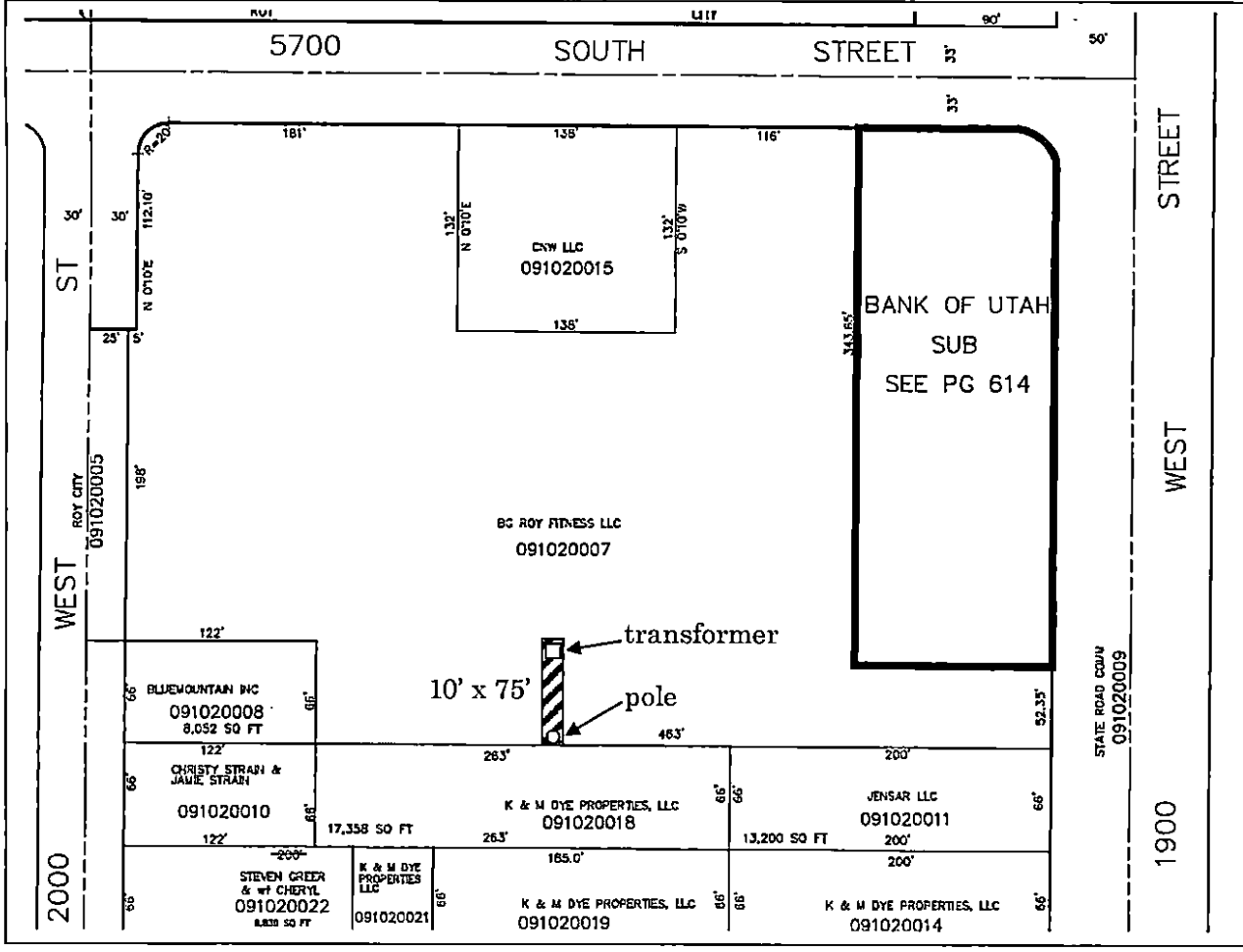
(notary signature)



NOTARY PUBLIC FOR ARIZONA
Residing at: Phoenix, Arizona
My Commission Expires: 3-1-2023



Property Description
 Quarter: NE Quarter: NE Section: 23 Township 5 N (N or S),
 Range 2 W (E or W), Salt Lake Meridian
 County: Weber State: Utah
 Parcel Number: 091020007



CC#: 11461 WO#: 6840647
 Landowner Name: BG Roy Fitness, LLC
 Drawn by: R. Avery

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: Not To Scale