

REV05042015

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

Project Name: *INDEPENDENCE M-1*  
WO#: *6234160*  
RW#:

12354297  
8/30/2016 2:07:00 PM \$20.00  
Book - 10470 Pg - 2722-2727  
Gary W. Ott  
Recorder, Salt Lake County, UT  
OLD REPUBLIC TITLE SO JORDAN  
BY: eCASH, DEPUTY - EF 6 P.

### UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **MT. JORDAN LIMITED PARTNERSHIP**, a Utah limited partnership ("Grantor"), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), an easement for a right of way 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 Exhibits A and B attached hereto and by this reference made a part hereof:

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.

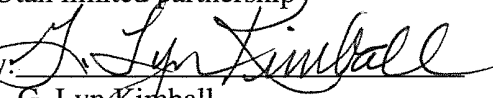
To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in

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 26<sup>th</sup> day of August, 2016.

**GRANTOR:**

MT. JORDAN LIMITED PARTNERSHIP,  
a Utah limited partnership,

By:   
G. Lyn Kimball  
Managing General Partner

**Acknowledgment**

STATE OF UTAH                    )  
  ) ss.  
County of SALT LAKE         )

On this 21 day of August, 2016, before me, the undersigned Notary Public in and for said State, personally appeared G. Lyn Kimball, known or identified to me to be the Managing General Partner of Mt. Jordan Limited Partnership, a Utah limited partnership, the person that executed the instrument on behalf of said limited liability company, 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.

Mindy Dansie  
\_\_\_\_\_  
(notary signature)

NOTARY PUBLIC FOR Utah (state)  
Residing at: West Jordan, Utah (city, state)  
My Commission Expires: 11-19-2016 (d/m/y)



**EXHIBIT "A"**

**INDEPENDENCE AT THE POINT, PLAT M-1 - POWER EASEMENT**

A PORTION OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED S89°32'53"W ALONG THE SECTION LINE 714.67 FEET AND SOUTH 1137.55 FEET FROM THE NORTH 1/4 CORNER OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING: S89°46'54"W BETWEEN THE NORTHEAST CORNER AND THE NORTH 1/4 CORNER OF SECTION 14, T4S, R1W, SLB&M); THENCE S62°31'35"E 10.15 FEET; THENCE ALONG THE ARC OF A 608.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: N52°45'38"W) TO THE RIGHT 16.11 FEET THROUGH A CENTRAL ANGLE OF 1°31'06" (CHORD: S37°59'55"W 16.11 FEET); THENCE ALONG THE ARC OF A 317.00 FOOT RADIUS CURVE TO THE LEFT 19.03 FEET THROUGH A CENTRAL ANGLE OF 3°26'21" (CHORD: S37°02'18"W 19.02 FEET); THENCE S54°40'52"E 60.00 FEET; THENCE N89°54'31"E 12.40 FEET; THENCE ALONG THE ARC OF A 247.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: S53°00'53"E) TO THE LEFT 110.84 FEET THROUGH A CENTRAL ANGLE OF 25°42'36" (CHORD: S24°07'49"W 109.91 FEET); THENCE EAST 193.98 FEET; THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 17.51 FEET THROUGH A CENTRAL ANGLE OF 40°07'09" (CHORD: N69°56'25"E 17.15 FEET); THENCE ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT 272.52 FEET THROUGH A CENTRAL ANGLE OF 260°14'18" (CHORD: SOUTH 91.77 FEET); THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 17.51 FEET THROUGH A CENTRAL ANGLE OF 40°07'09" (CHORD: N69°56'25"W 17.15 FEET); THENCE WEST 196.71 FEET; THENCE ALONG THE ARC OF A 247.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: N82°37'30"E) TO THE LEFT 49.46 FEET THROUGH A CENTRAL ANGLE OF 11°28'23" (CHORD: S13°06'41"E 49.38 FEET); THENCE S18°50'53"E 214.05 FEET; THENCE N71°09'07"E 108.99 FEET; THENCE ALONG THE ARC OF A 340.00 FOOT RADIUS CURVE TO THE RIGHT 30.89 FEET THROUGH A CENTRAL ANGLE OF 5°12'22" (CHORD: N73°45'18"E 30.88 FEET); THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 15.54 FEET THROUGH A CENTRAL ANGLE OF 35°36'17" (CHORD: N58°33'21"E 15.29 FEET); THENCE ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT 271.92 FEET THROUGH A CENTRAL ANGLE OF 259°39'34" (CHORD: S9°25'01"E 92.15 FEET); THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 20.25 FEET THROUGH A CENTRAL ANGLE OF 46°24'02" (CHORD: N82°47'15"W 19.70 FEET); THENCE ALONG THE ARC OF A 260.00 FOOT RADIUS CURVE TO THE LEFT 12.98 FEET THROUGH A CENTRAL ANGLE OF 2°51'37" (CHORD: S72°34'56"W 12.98 FEET); THENCE S71°09'07"W 108.99 FEET; THENCE S18°50'53"E 64.29 FEET; THENCE S71°09'07"W 10.00 FEET; THENCE S69°17'22"W 60.03 FEET; THENCE S71°09'07"W 10.00 FEET; THENCE N18°50'53"W 360.29 FEET; THENCE ALONG THE ARC OF A 327.00 FOOT RADIUS CURVE TO THE RIGHT 328.77 FEET THROUGH A CENTRAL ANGLE OF 57°36'21" (CHORD: N9°57'18"E 315.10 FEET); THENCE ALONG THE ARC OF A 598.00 FOOT RADIUS CURVE TO THE LEFT 14.13 FEET THROUGH A CENTRAL ANGLE OF 1°21'12" (CHORD: N38°04'52"E 14.12 FEET) TO THE POINT OF BEGINNING.

CONTAINS: ±2.29 ACRES

*(Tax Parcel ID 33-14-100-015-0000 includes this and other land)*

EXHIBIT "B"

*See Attached Depiction*

