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REV05042015

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

12472034
02/07/2017 02:54 PM \$18.00
Book - 10527 Pg - 7643-7647
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: LHP, DEPUTY - WI 5 P.

Project Name: Independence at the Point Plat N-2
WO#: 6310704
RW#:

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.

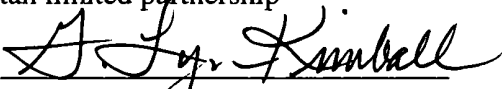
The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

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 1st day of February, 2017.

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 1st day of February, 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: 11-19-2020 (d/m/y)



EXHIBIT "A"

INDEPENDENCE AT THE POINT, PLAT N-2, POWER EASEMENT

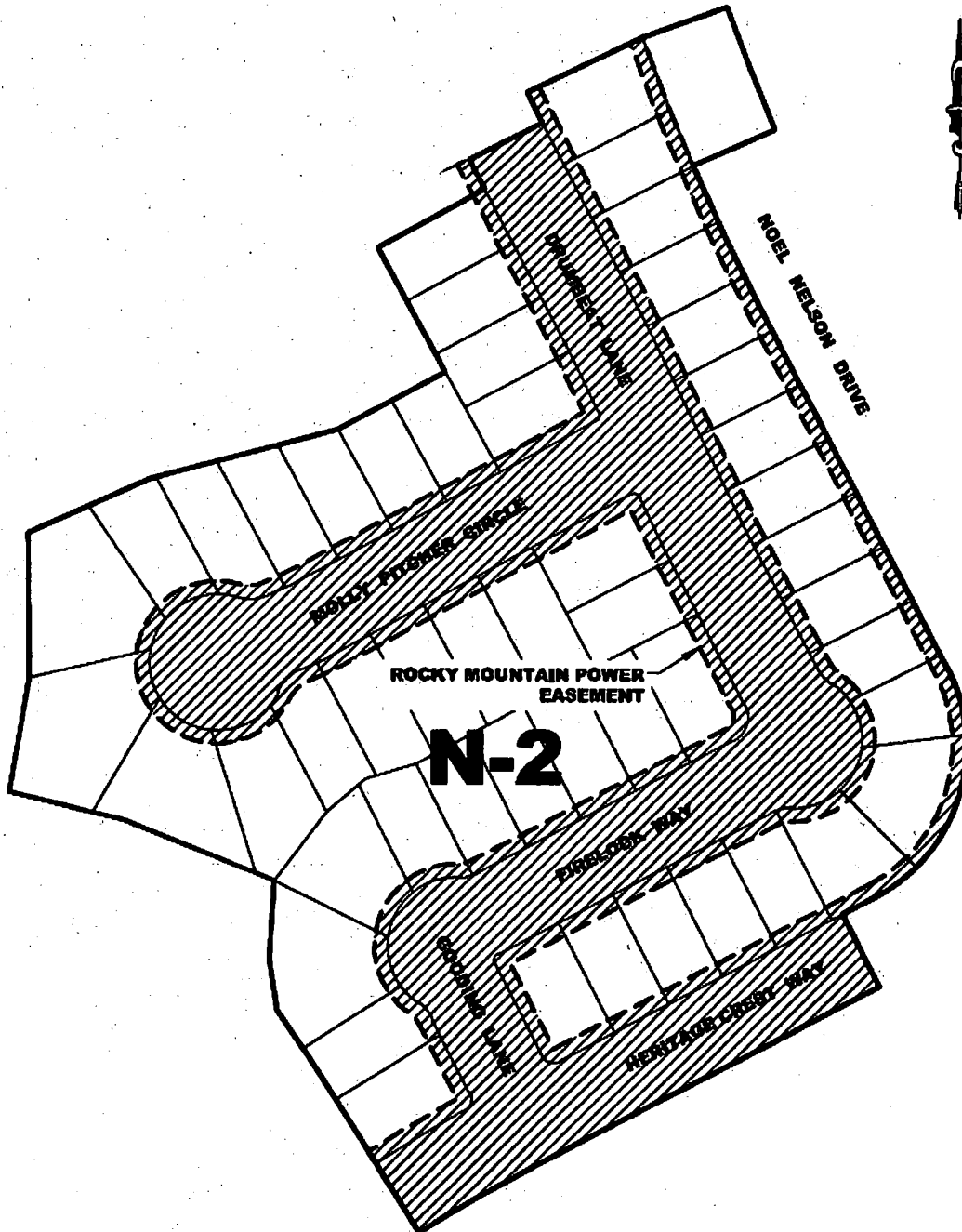
A PORTION OF THE NORTH 1/2 OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED S89°32'53"W ALONG THE SECTION LINE 27.53 FEET AND SOUTH 1882.63 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 S27°25'43"E 177.86 FEET; THENCE ALONG THE ARC OF A 540.00 FOOT RADIUS CURVE TO THE RIGHT 15.57 FEET THROUGH A CENTRAL ANGLE OF 1°39'06" (CHORD: S26°36'10"E 15.57 FEET); THENCE S25°46'37"E 159.07 FEET; THENCE ALONG THE ARC OF A 460.00 FOOT RADIUS CURVE TO THE LEFT 13.26 FEET THROUGH A CENTRAL ANGLE OF 1°39'06" (CHORD: S26°36'10"E 13.26 FEET); THENCE S27°25'43"E 110.29 FEET; THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 12.25 FEET THROUGH A CENTRAL ANGLE OF 28°04'21" (CHORD: S41°27'53"E 12.13 FEET); THENCE ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT 153.04 FEET THROUGH A CENTRAL ANGLE OF 146°08'42" (CHORD: S17°34'17"W 114.80 FEET); THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 12.25 FEET THROUGH A CENTRAL ANGLE OF 28°04'21" (CHORD: S76°36'28"W 12.13 FEET); THENCE S62°34'17"W 220.13 FEET; THENCE S27°25'43"E 70.00 FEET; THENCE N62°34'17"E 260.13 FEET; THENCE ALONG THE ARC OF A 115.00 FOOT RADIUS CURVE TO THE LEFT 180.64 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD: N17°34'17"E 162.64 FEET); THENCE N27°25'43"W 299.96 FEET; THENCE ALONG THE ARC OF A 1676.00 FOOT RADIUS CURVE TO THE RIGHT 219.14 FEET THROUGH A CENTRAL ANGLE OF 7°29'30" (CHORD: N23°40'58"W 218.99 FEET); THENCE N64°29'40"E 10.05 FEET; THENCE ALONG THE ARC OF A 1666.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: N70°05'48"E) TO THE LEFT 218.81 FEET THROUGH A CENTRAL ANGLE OF 7°31'30" (CHORD: S23°39'58"E 218.65 FEET); THENCE S27°25'43"E 299.96 FEET; THENCE ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT 196.35 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD: S17°34'17"W 176.78 FEET); THENCE S62°34'17"W 26.37 FEET; THENCE S27°25'43"E 60.00 FEET; THENCE S62°34'17"W 285.20 FEET; THENCE ALONG THE ARC OF A 1120.00 FOOT RADIUS CURVE TO THE LEFT 98.46 FEET THROUGH A CENTRAL ANGLE OF 5°02'13" (CHORD: S60°03'11"W 98.43 FEET); THENCE N32°28'10"W 70.00 FEET; THENCE ALONG THE ARC OF A 1190.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: S32°27'56"E) TO THE RIGHT 76.06 FEET THROUGH A CENTRAL ANGLE OF 3°39'43" (CHORD: N59°21'55"E 76.04 FEET); THENCE N27°25'43"W 60.29 FEET; THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 12.27 FEET THROUGH A CENTRAL ANGLE OF 28°06'43" (CHORD: N41°29'04"W 12.14 FEET); THENCE ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT 153.08 FEET THROUGH A CENTRAL ANGLE OF 146°11'04" (CHORD: N17°33'06"E 114.81 FEET); THENCE ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT 12.25 FEET THROUGH A CENTRAL ANGLE OF 28°04'21" (CHORD: N76°36'28"E 12.13 FEET); THENCE N62°34'17"E 210.15 FEET; THENCE ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE TO THE LEFT 15.71 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD: N17°34'17"E 14.14 FEET); THENCE N27°25'43"W 110.29 FEET; THENCE ALONG THE ARC OF A 540.00 FOOT RADIUS CURVE TO THE RIGHT 15.57 FEET THROUGH A CENTRAL ANGLE OF 1°39'06" (CHORD: N26°36'10"W 15.57 FEET); THENCE N25°46'37"W 40.59 FEET; THENCE S61°27'22"W 247.42 FEET; THENCE ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE RIGHT 7.25 FEET THROUGH A CENTRAL ANGLE OF 4°36'49" (CHORD: S63°45'47"W 7.25 FEET); THENCE S66°04'11"W 15.73 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: S46°00'37"W 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: N23°55'49"W 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: N86°07'46"E 17.15 FEET); THENCE N66°04'11"E 15.73 FEET; THENCE ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE TO THE LEFT 0.81 FEET THROUGH A CENTRAL ANGLE OF 4°36'49" (CHORD: N63°45'47"E 0.81 FEET); THENCE N61°27'22"E 251.29 FEET; THENCE N25°46'37"W 38.39 FEET; THENCE ALONG THE ARC OF A 460.00 FOOT RADIUS CURVE TO THE LEFT 13.26 FEET THROUGH A CENTRAL ANGLE OF 1°39'06" (CHORD: N26°36'10"W 13.26 FEET); THENCE N27°25'43"W 154.20 FEET; THENCE N65°05'57"E 10.05 FEET; THENCE N63°04'23"E 60.00 FEET; THENCE N26°12'44"W 24.95 FEET; THENCE N64°29'40"E 9.44 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±3.28 ACRES

Parcel # 33-14-451W

EXHIBIT "B"
See Attached Depiction



INDEPENDENCE AT THE POINT, PLAT "N-2"
ROCKY MOUNTAIN POWER EASEMENT EXHIBIT