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Return to:
Roger Rigby
1407 W. No. Temple
Salt Lake City, Utah 84140

August 6, 1997
Parcel No's. DV-00134 & 00139

E 1339973 B 2162 P 70
JAMES ASHBAKER, DAVIS CNTY RECORDER
1997 AUG 11 10:41 AM FEE 12.00 DEP REC
REC'D FOR MOUNTAIN VIEW TITLE & ESCROW I

NW 27 - 5N 3W

ROADWAY EASEMENT

PACIFICORP, an Oregon Corporation, located at 1407 West North Temple, Salt Lake City, Utah 84140, GRANTOR, hereby conveys and warrants to COUNTRY PINES PHASE II, LC, its successors and assigns, GRANTEE, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, a perpetual easement and right of way for the construction, operation, maintenance and repair of a private roadway in, on, over and/or across the following described real property owned by Grantor located in Davis County, State of Utah, to-wit:

Commencing at a point located S.89°59'21"E. along the quarter section line 1573.95 feet and North 80.73 feet from the West one quarter corner of Section 27, T.5 N., R.2 W., S.L.M., thence N.0°08'00"E. 574.07 feet, thence S.89°52'E. 5.00 feet, thence along the arc of a 25.00 foot radius curve to the right 39.269 feet (chord bearing and distance being S.44°52'00"E. 35.355 feet), thence S.00°08'W. 503.07 feet, thence along the arc of a 38.00 foot radius curve to the right 30.235 feet (chord bearing and distance being S.22°55'30"W. 29.444 feet), thence S.44°44'06"W. 26.48 feet to the point of beginning, contains 0.381 of acre.

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This easement is granted subject to the following restrictive conditions:

1. Grantee will not make any use of the easement herein granted which will be inconsistent with, or interfere in any manner with Grantor's operation, maintenance or repair of Grantor's existing installation or additional construction and installations constructed after the grant of this easement which cross over and above the property as herein described.
2. In the event a curb and gutter is constructed on the easement herein granted, said curb and gutter will be high-back type and will contain a 16-foot curb cut on both sides of the private roadway located at places designated by the Grantor, which curb cuts will permit passage of Grantor's equipment used for repair and maintenance of Grantor's electric transmission lines.
3. Grantee will not use or permit to be used on said easement construction cranes or other equipment having a boom or similar attachment which may come in contact with Grantor's overhead electric lines.
4. In the event Grantee ceases to use, for purposes of a private roadway, the property described by the easement, this easement shall thereupon

immediately terminate with all rights and interest conveyed herein by Grantor to revert back to Grantor by instrument of disclaimer from Grantee, or its successors or assigns.

5. Grantor shall have the right, at any time and from time to time, to cross and recross with equipment, personnel, overhead power lines or underground power lines and access roads, at any location or locations thereon, the lands included with the easement herein conveyed by Grantor to Grantee.

6. It is also understood that Grantee shall defend and indemnify and hold harmless the grantor from and against liability, damage, loss, costs and expenses, including attorney's fees, on account of injury or damage to persons or property occurring on or occasioned by facilities or equipment owned or controlled by Grantee and arising by reason of Grantee's use and occupation of the property pursuant to this easement.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officer this 6th day of August, 1997.

PACIFICORP, an Oregon Corporation

Thomas W. Ferguson
Vice President

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 6th day of August, 1997, by Thomas W. Ferguson, Vice President of PacificCorp, an Oregon corporation, who executed the foregoing on behalf of PacificCorp with authority of the Board of Directors of said Corporation.

My Commission expires:

5/5/01

Helen Louise Righter
Notary ~~Private~~ Public

Residing at Salt Lake City, Utah

