

EASEMENT

PACIFICORP, an Oregon Corporation, whose principal office is located at 1407 West North Temple, Salt Lake City, Utah, GRANTOR, in and for good and valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys to Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119, its successors and assigns, GRANTEE, an easement and right of way for the construction, operation, maintenance, and repair of an underground storm water drainage pipeline, on, over, under and/or across a tract of land owned by Grantor located in Weber County, State of Utah.

Property situate in the NE 1/4 NW 1/4 of Section 22, T.5 N., R. 2 W., S.L.B.&M., in Weber County, Utah.

Beginning on the southerly right of way line of UDOT Project #0097, at a point 10.058 m (33.00 ft) perpendicularly distant southerly from the centerline of said project at Engineer Station 10+529.464, said point also being approximately 278.760 m (914.57 ft) West (N. 89°45'44" W. Highway bearing) along the section line and 10.058 m (33.00 ft.) South (S.00°14'16" W. Highway bearing) from the northeast corner of the northwest quarter of said Section 22, and running thence East (S. 89°45'44" E. Highway bearing) 7.000 m (22.97 ft) along said southerly right of way line of 5600 South Street; thence S. 00°08' 00" W. (S..00°23'23" W. Highway bearing) 184.100 m (604.00 ft); thence West (N.89°45'44"W. Highway bearing) 7.000 m (22.97 ft.); thence North (N. 00°23'23: E. Highway bearing) 184.100 m (604.00 ft) to the point of beginning. The above described part of an entire tract contains 1,288.690 square meters (13,871 sq. ft.) in area or 0.129 hectare (0.318 acre), more or less.

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 installations or additional construction and installations constructed after the grant of this easement which cross over, under and/or above the property herein described.
2. 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.
3. In the event the Grantee ceases to use for purposes of the underground storm drainage water pipeline the property described, this easement shall thereupon immediately terminate, and the Grantee will remove its installation and all associated auxiliary fixtures and restore the premises substantially to its original condition.
4. This easement is limited to the construction of the storm drainage pipeline along the route described herein and the installation of laterals, taps, or subfeeds from the storm

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drainage pipeline will not be made without a separate easement.

5. This easement does not preclude or prevent the Grantor from making use of, for its purposes, the land area over the storm drainage water pipeline. The Grantee will provide protection for the storm drainage water pipeline facility.

6. In the event it becomes necessary to relocate the storm water drainage pipeline to accommodate Grantor's use of its property, said storm water drainage pipeline will be relocated at no expense to the Grantor. The Grantor will provide a new, feasible location and easement to accommodate the relocation of said storm water drainage pipeline.

7. It is also understood that Grantee will 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 10th day of June, 1996.

PACIFICORP, an Oregon Corporation

Thomas W. Forsgren
Vice President

STATE OF UTAH)
COUNTY OF SALT LAKE)SS

On this 10th day of June, 1996, personally appeared before me Thomas W. Forsgren, who being by me duly sworn did state that he/she is a Vice President of PacificCorp, an Oregon Corporation, and that the within and foregoing instrument was signed by authority of said corporation and said Thomas W. Forsgren duly acknowledged to me that said corporation executed the same.

My Commission Expires:
3/5/97

Helen Louise Righter
Notary Public
Residing in: Salt Lake City, Utah

