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BRENDA NELSON, Recorder  
MORGAN COUNTY  
For: HOLLAND & HART LLP - SLC  
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WHEN RECORDED, RETURN TO:  
Anaya Gayle  
Holland & Hart LLP  
222 South Main Street, Suite 2200  
Salt Lake City, UT 84101

### FIRST AMENDMENT TO RELEASE AND EXTINGUISHMENT OF EASEMENT

THIS FIRST AMENDMENT TO RELEASE AND EXTINGUISHMENT OF EASEMENT (the "First Amendment") is made this 27th day of April, 2023, by Rocky Mountain Power, an unincorporated division of PacifiCorp, an Oregon corporation, its successors and assigns ("RMP").

WHEREAS, Wasatch Peaks Ranch, LLC, a Delaware limited liability company ("WPR"), granted RMP a non-exclusive blanket easement executed on April 19, 2022 and recorded in the official records of the Morgan County Recorder, Morgan County, Utah ("Official Records") on May 3, 2022 as Document No. 160857 in Book 391, Page 556 (the "RMP Easement") for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power substations, transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation supporting towers, poles, fences, props, guys and anchors, wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults and cabinets (collectively, the "Electric Facilities"), on, over, or under the surface of the real property owned by WPR and located in Morgan County, Utah more particularly described in the RMP Easement as the ("RMP Easement Area");

WHEREAS, the RMP Easement provides that WPR has the right to replace the legal description of the RMP Easement Area with "utility easement," "utility easement areas," or "UEA" as depicted on one or more plats recorded in the Official Records (collectively herein, "UEA");

WHEREAS, WPR recorded the Final Plat Wasatch Peaks Ranch Plat 1 in the Morgan County, Utah records on May 3, 2022 as Document No. 160852 in Book 391, Pages 382-401 (the "Original Plat"), the Release and Extinguishment of Easement recorded October 6, 2022 as Document No. 162096 in Book 395, Page 1014 (the "Release"), and the Final Plat Wasatch Peaks Ranch Plat 1, First Amendment in the Official Records on May 1, 2023, as Document No. 163347 in Book 399, Page 1237 (the "First Amended Plat"), which real property is more particularly described on Exhibit A-1, attached hereto and incorporated herein by reference ("Property");

WHEREAS, the portion of the RMP Easement Area residing within the boundaries of the Property, pursuant to the recordation of the First Amended Plat, has been limited to the UEA or, if the as-built Electric Facilities reside outside the boundaries of the UEA, those areas in which the as-built Electric Facilities reside, and WPR wishes to amend the Release because of the First Amended Plat, which further limits the easement area;

WHEREAS, the RMP Easement requires that if WPR so limits the RMP Easement Area, RMP shall execute a release and full extinguishment of the RMP Easement as to the Property that is outside of the RMP Easement Area ("Released Area") as first described in the Release and

amended by this First Amendment, such Released Area being further described in Exhibit B-1, attached hereto and incorporated by reference; and

WHEREAS, WPR has requested and RMP desires now to execute and record this First Amendment so as to amend the Release and effectively limit the property burdened by the RMP Easement to only the RMP Easement Area, as limited by the recordation of the First Amended Plat;

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Release is amended as follows:

1. **Amendment and Restatement of Exhibit A to Release.** Exhibit A to the Release is hereby deleted in its entirety and replaced with Exhibit A-1 attached hereto. All references in the Release to the Original Plat are hereby amended to mean and refer to the description of the First Amended Plat set forth in attached Exhibit A-1 to this First Amendment.
2. **Amendment and Restatement of Exhibit B to Release.** Exhibit B to the Release is hereby deleted in its entirety and replaced with Exhibit B-1 attached hereto. All references in the Release to the term "Property" are hereby amended to mean and refer to the description of the Released Areas set forth in attached Exhibit B-1 to this First Amendment.
3. **Miscellaneous Provisions.**
  - a. **Governing Law.** The validity and effect of this Release shall be determined in accordance with the laws of the State of Utah without regard to its choice of law principles.
  - b. **Severability.** If any provision of this Release or the application thereof to any person or circumstance shall be invalid, illegal or unenforceable, it shall not affect or impair the validity, legality or enforceability of any other provision of this Release, or the applicability of such provision to persons or circumstances other than those to which it is held invalid or unenforceable, and each provision of this Release shall be valid and enforced to the fullest extent permitted by law.
  - c. **Headings for Convenience.** All headings and captions used herein are for convenience only and are of no meaning in the interpretation or effect of this Release.

*[Remainder of this page is intentionally blank. Signature page follows.]*

WITNESS hand of said RMP this 27 day of April, 2023.

ROCKY MOUNTAIN POWER, an unincorporated  
division of PacifiCorp, an Oregon corporation

By: Harold Dudley  
Name: Harold Dudley  
Its: Director, Right of Way

STATE OF Utah  
COUNTY OF Salt Lake : ss.

The foregoing instrument was acknowledged before me this 27 day of April, 2023,  
by Harold Dudley, in their capacity as Director, Right of Way for Rocky Mountain  
Power, an unincorporated division of PacifiCorp, an Oregon corporation.

Robyn Skeen  
Notary Public  
Residing at: Ogden, UT

My Commission Expires:  
6/24/26



[Signature page to First Amendment to Release and Extinguishment of Easement]

**EXHIBIT A-1**

A parcel of land lying and situated in the south half of Section 2 and the north half of Section 11, Township 4 North, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the southeast corner of Lot C7 of Wasatch Peaks Ranch Plat 1, as recorded on May 3, 2022, Entry No. 160852, in the office of the Morgan County Recorder, said point also being 535.09 feet North 89°22'17" West and 58.24 feet North 00°37'43" East from the Southeast Corner of Section 2, Township 4 North, Range 1 East, Salt Lake Base and Meridian, said Southeast Corner being a 3" aluminum cap set by the Morgan County Surveyor in 2021 and running thence, along the westerly line of Peaks View Drive as shown on said Wasatch Peaks Ranch Plat 1, the following eight (8) courses: (1) southwesterly 439.61 feet along the arc of a 250.00 foot radius curve to the right, through a central angle of 100°45'02", chord bears South 26°00'50" West 385.12 feet, (2) South 76°23'20" West 252.84 feet, (3) westerly 235.66 feet along the arc of a 975.00 foot radius curve to the right, through a central angle of 13°50'56", chord bears South 83°18'48" West 235.09 feet, (4) North 89°45'44" West 171.79 feet, (5) westerly 153.65 feet along the arc of a 975.00 foot radius curve to the right, through a central angle of 9°01'45", chord bears North 85°14'52" West 153.49 feet, (6) North 80°43'59" West 165.86 feet, (7) southwesterly 427.57 feet along the arc of a 275.00 foot radius curve to the left, through a central angle of 89°05'01", chord bears South 54°43'31" West 385.79 feet, (8) South 10°11'00" West 240.90 feet to the extension of the southerly line of Meadow View Drive, as shown on said Wasatch Peaks Ranch Plat 1, thence, along said extension of the southerly line of Meadow View Drive and the southerly line of Meadow View Drive the following seven (7) courses: (1) South 79°49'00" East 91.86 feet, (2) southeasterly 44.41 feet along the arc of a 125.00 foot radius curve to the right, through a central angle of 20°21'15", chord bears South 69°38'22" East 44.17 feet, (3) South 59°27'45" East 182.87 feet, (4) southeasterly 123.26 feet along the arc of a 175.00 foot radius curve to the right, through a central angle of 40°21'27", chord bears South 39°17'01" East 120.73 feet, (5) South 19°06'18" East 252.78 feet, (6) southeasterly 152.66 feet along the arc of a 275.00 foot radius curve to the left, through a central angle of 31°48'25", chord bears South 35°00'31" East 150.71 feet, (7) South 50°54'43" East 78.22 feet to the south line of Lot E18 of said Wasatch Peaks Ranch Plat 1; thence, along said south line of Lot E18, the following two (2) courses: (1) South 42°13'53" West 34.80 feet, (2) South 82°19'38" West 574.02 feet to the boundary line of said Wasatch Peaks Plat 1, thence, along said boundary line of Wasatch Peaks Plat 1, North 33°23'44" West 53.98 feet to the south line of said Peaks View Drive as shown on said Wasatch Peaks Ranch Plat 1; thence, along said south line of Peaks View Drive, southwesterly 107.95 feet along the arc of a 275.00 foot non-tangent radius curve to the right, through a central angle of 22°29'25", chord bears South 68°38'37" West 107.25 feet; thence South 79°53'19" West 50.06 feet; thence southwesterly 204.03 feet along the arc of a 125.00 foot radius curve to the left, through a central angle of 93°31'13", chord bears South 33°07'42" West 182.12 feet; thence southeasterly 28.56 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 109°06'12", chord bears South 68°11'00" East 24.44 feet; thence North 57°15'54" East 4.02 feet; thence northeasterly 5.99 feet along the arc of a 51.00 foot radius curve to the right, through a central angle of 6°43'42", chord bears North 60°37'45" East 5.99 feet; thence South 24°34'14" East 42.08 feet; thence South 57°15'54" West 4.80 feet; thence southerly 24.88 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 95°02'39", chord bears South 09°44'34" West 22.13 feet; thence South 37°46'45" East 10.05 feet; thence South 57°47'36" West 50.14 feet; thence North 44°54'15" West 10.26 feet; thence westerly

20.38 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of  $77^{\circ}49'51''$ , chord bears North  $83^{\circ}49'11''$  West 18.85 feet; thence South  $57^{\circ}15'54''$  West 14.72 feet; thence westerly 127.33 feet along the arc of a 225.00 foot radius curve to the right, through a central angle of  $32^{\circ}25'25''$ , chord bears South  $73^{\circ}28'36''$  West 125.64 feet; thence South  $89^{\circ}41'19''$  West 91.69 feet; thence northwesterly 89.15 feet along the arc of a 125.00 foot radius curve to the right, through a central angle of  $40^{\circ}51'50''$ , chord bears North  $69^{\circ}52'46''$  West 87.27 feet; thence South  $89^{\circ}41'19''$  West 148.74 feet; thence North  $20^{\circ}43'28''$  West 110.96 feet; thence North  $03^{\circ}43'47''$  West 60.61 feet; thence North  $04^{\circ}49'30''$  East 47.03 feet; thence North  $02^{\circ}01'42''$  West 112.46 feet; thence North  $03^{\circ}23'40''$  West 130.33 feet; thence North  $03^{\circ}13'43''$  West 119.71 feet; thence North  $07^{\circ}39'13''$  West 144.73 feet; thence northeasterly 90.94 feet along the arc of a 85.00 foot radius curve to the right, through a central angle of  $61^{\circ}17'50''$ , chord bears North  $55^{\circ}24'11''$  East 86.66 feet to the boundary line of Open Space "B" of said Wasatch Peaks Ranch Plat 1; thence, along the boundary of said Open Space "B", the following nine (9) courses: (1) North  $06^{\circ}40'37''$  West 148.35 feet, (2) North  $21^{\circ}43'02''$  West 374.14 feet, (3) North  $01^{\circ}33'54''$  East 683.04 feet, (4) North  $88^{\circ}10'33''$  East 587.96 feet, (5) South  $86^{\circ}28'53''$  East 820.70 feet, (6) North  $59^{\circ}24'48''$  East 24.30 feet, (7) southeasterly 464.15 feet along the arc of a 275.00 foot radius curve to the left, through a central angle of  $96^{\circ}42'15''$ , chord bears South  $78^{\circ}56'20''$  East 410.98 feet, (8) South  $37^{\circ}17'27''$  East 296.05 feet, (9) North  $57^{\circ}52'49''$  East 446.08 feet to the Point of Beginning.

Contains 2,441,068 Square Feet or 56.039 Acres

**EXHIBIT B-1**  
Released Area

The land more particularly described in the Final Plat Wasatch Peaks Ranch Plat 1, First Amendment, recorded in the Official Records of Morgan County, Utah, on this 1st day of May, 2023, as Document No. 163347 in Book 399, Page 1237, as detailed in Exhibit A-1 above, and which description is hereby incorporated into and made a part of Exhibit B-1.

Less and excepting: the utility easement areas as depicted on the Plat and any areas in which any as-built Electric Facilities reside.

Parcel Nos. 00-0090-3141, 00-0090-3142, 00-0090-3143, 00-0090-3144, 00-0090-3145, 00-0090-3146, 00-0090-3147, 00-0090-3148, 00-0090-3149, 00-0090-3150, 00-0090-3151, 00-0090-3152, 00-0090-3153, 00-0090-3154, 00-0090-3155, 00-0090-3156, 00-0090-3157, 00-0090-3158, 00-0090-3159, 00-0090-3160, 00-0090-3161, 00-0090-3162, 00-0090-3163, 00-0090-3164, 00-0090-3165, 00-0090-3166, 00-0090-3167, 00-0090-3168, 00-0090-3169, 00-0090-3170, 00-0090-3171, 00-0090-3172, 00-0090-3173, 00-0090-3174, 00-0090-3175, 00-0090-3176, 00-0090-3177, 00-0090-3178, 00-0090-3179, 00-0090-3180, 00-0090-3181, 00-0090-3182, 00-0090-3183, 00-0090-3184, 00-0090-3185, 00-0090-3186, 00-0090-3187, 00-0090-3188, 00-0090-3189, 00-0090-3190, 00-0090-3191, 00-0090-3192, 00-0090-3193, 00-0090-3194, 00-0090-3195, 00-0090-3196, 00-0090-3197, 00-90-3198, 00-0091-9321, 00-0091-9322, 00-0091-9323, 00-0091-9324, 00-0091-9325, 00-0091-9326, 00-0091-9327, 00-0091-9328, 00-0091-9329, 00-0091-9330, 00-0091-9331, 00-0091-9332, 00-0091-9333, 00-0091-9334, 00-0091-9335, 00-0091-9336, 00-0091-9337, 00-0091-9338, and 00-0091-9339