

REV05042015

Return to:

Rocky Mountain Power
Lisa Louder/Justin Spencer
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

E 166192 B 411 P 106
Date 25-Jun-2024 01:12PM
Fee: \$40.00 ACH
Filed By: JM
BRENDA NELSON, Recorder
MORGAN COUNTY
For: PACIFICORP- LLOUNDER
Recorded Electronically by Simplifile

Project Name: MTG11/CW URBAN LLC/ROAM FLEX 14 UNITS

WO#: 007034111

RW#:

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, CW LAND CO LLC ("Grantor"), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 345 feet in length, more or less, 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 **Morgan** County, State of **Utah** more particularly described as follows and as more particularly described and/or shown on Exhibit(s) A attached hereto and by this reference made a part hereof:

Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

A 10 FOOT WIDE UNDERGROUND POWER LINE EASEMENT FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE GRANTOR'S SOUTH PROPERTY LINE, SAID POINT BEING 1654.98 FEET SOUTH 00°05'20" WEST ALONG THE SECTION LINE AND 949.70 FEET SOUTH 89°54'40" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 00°15'49" WEST 310.03 FEET ALONG A LINE 5 FEET EASTERLY AND PARALLEL TO THE EASTERLY RIGHT-OF-WAY LINE OF QUEENS GARDEN ROAD; THENCE NORTH 89°44'11" EAST 34.92 FEET TO THE POINT OF TERMINUS. THE SIDES OF SUCH EASEMENT ARE EXTENDED OR TERMINATED AT GRANTOR'S PROPERTY.

CONTAINING 3,439 S.F. OR 0.079 ACRES

Assessor Parcel No.

10-005-044-02-1-3-7

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 11th day of June, 2024.

Holtan
By: Holtan Hungaker For CW Land Co. LLC
GRANTOR

By: _____ GRANTOR

Acknowledgment by a Corporation, LLC, or Partnership:

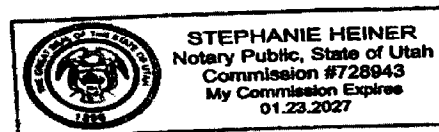
STATE OF Utah)
) ss.
County of Davis)

On this 11th day of June, 2024, before me, the undersigned Notary Public in and for said State, personally appeared Holtan Hungaker (name), known or identified to me to be the CFO (president / vice-president / secretary / assistant secretary) of the corporation, or the (manager / member) of the limited liability company, or a partner of the partnership that executed the instrument or the person who executed the instrument on behalf of CW Land Co LLC (entity name), 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.

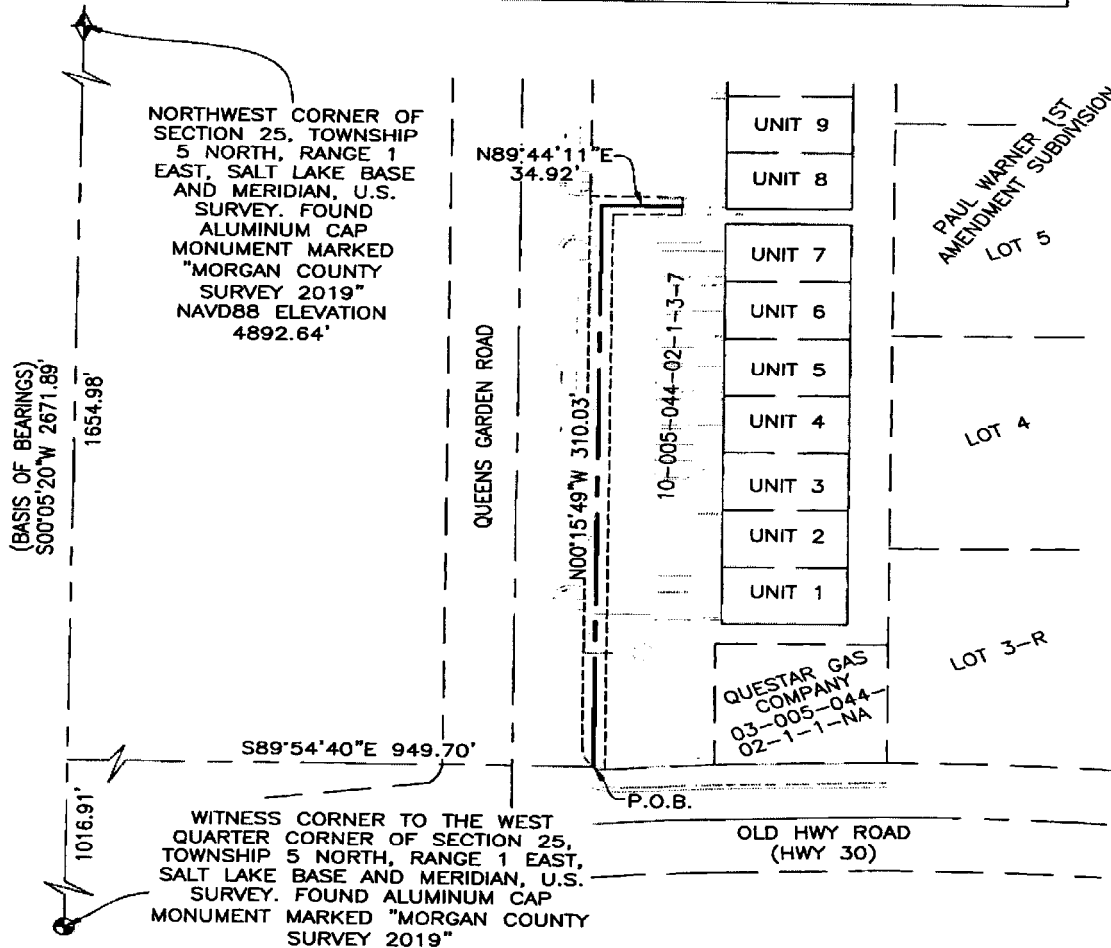
Stephanie Heiner
(notary signature)

NOTARY PUBLIC FOR Utah (state)
Residing at: Layton, UT (city, state)
My Commission Expires: 01-23-2027 (d/m/y)



Property Description

Quarter: SW Quarter: NW Section: 25 Township 5N (N or S),
 Range 1E (E or W), S.L.B. & Meridian
 County: MORGAN State: UTAH
 Parcel Number: 10-005-044-02-1-3-7



CC#: WO#:

Landowner Name: **CW LAND CO LLC**Drawn by: **NKA**

EXHIBIT B

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

**ROCKY MOUNTAIN
POWER**
A DIVISION OF PACIFICORP

SCALE: 1"=80'